

# Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 1

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M10147+P10147+V10147	Countryside Quality Meats, L.L.C.	{BEE4AF3C-D631-41DD-9F35-37B27047B102}	PVG3809052905N-1	05/05/2020	04C02	Livestock Humane Handling	313.1	HAT Category VII Slips and falls. On 05-05-2020 at 0642 I was in the process of conducting an odd hour humane handling verification task, verifying humane handling requirements in the establishments ante mortem areas. At this time, I noticed that there was a drain cover missing in a pen holding two lambs and two goats. The exposed drain hole is approximately six inches across and near the center of the pen. The drain is deep and wide enough for an animal to get its leg trapped in the hole and sustain injury. I did not observe any of these animals during this inspection to have any adverse effect or injury from this exposed drain hole with no cover. I contacted an employee and pointed out that there was an exposed drain in the pen holding sheep and goats. He and another employee initiated corrective actions by covering the drain with a different secure drain cover. At 0720 I informed establishment manager Chelsea Wallen that the failure to maintain or repair the missing drain cover with animals present represents noncompliance with 313.1 (a) which states in part: Livestock pens, driveways, ramps, shall be maintained in good repair... and unnecessary openings where the head, feet, or legs of an animal may be injured shall be repaired.	CLOSED
M10147+P10147+V10147	Countryside Quality Meats, L.L.C.	{D65398D2-8D36-4926-9DD2-8704D0C17881}	PVG3907051619N-1	05/19/2020	04C02	Livestock Humane Handling	313.2	HAT Category III - Water and Feed Availability: On 05-19-2020 at 0704 I was in the process of beginning slaughter ante-mortem inspection. As I walked into the barn area I observed that the water basin in pen four holding only one swine was completely empty. I also noticed that the large water tank in pen three had been tipped over leaving no water available for the six beef being held in this pen. I contacted a nearby employee (b) (6) and explained the noncompliant conditions with the lack of water for the swine and beef. From 0707 to 0712 both water basins had been restored and filled with water in a timely manner. At 0706 I used a US retain tag on the gate to the stunning area. At 0715 I informed establishment manager Chelsea Wallen that there had been a failure to make water available to animals which represents noncompliance with 9CFR 313.2 (e). She responded with written corrective actions at 0730, and I relinquished the regulatory control action. A similar *Noncompliance report was written on 05-05-2020 with the same root cause issue. NR 3809052905 /2 which was responded to on 5-5-20 with corrective actions stating: Talked to employees about the humane handling SOP paper and telling me about issues. The implementation of these corrective actions may have proven ineffective for the recurring circumstances. The establishment was advised that this document serves as written notification that your failure to comply with the regulatory requirements could result in additional regulatory or administrative action.	CLOSED

# Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 2

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M10147+P10147+V10147	Countryside Quality Meats, L.L.C.	{DFA016F8-4DC C-4DC8-9AE4-63 C0DC774D3C}	PVG3809 052905N -2	05/05/2020	04C02	Livestock Humane Handling	313.2	HAT Category III - Water and Feed Availability: On 05-05-2020 at 0640 I was in the process of conducting an odd hour humane handling verification task, verifying humane handling requirements in the establishments ante mortem areas. As I walked into the barn area I noticed that the large water tank in pen three had been tipped over leaving no water available for the three beef being held in this pen. I contacted a nearby employee and explained the situation with the lack of water The tank was restored and filled with water in a timely manner. At 0720 I informed establishment manager Chelsea Wallen that there had been a failure to make water available to animals which represents noncompliance with 9CFR 313.2 (e).	CLOSED
M11032+P11032+V11032	Northwest Premium Meats, LLC	{6A88C324-1D46 -46AD-951D-584 076CCB64F}	AOC490 7054714 N-1	05/13/2020	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII: Stunning EffectivenessOn 05/13/2020 at approximately 1:45 pm the establishment stunned a large sow. The sow was contained within the stunning box and stunned using a .22 Marlin Mag Rifle with a .22 Magnum Rimfire round. After the first stun attempt, the CSI observed the sow still standing. There was no vocalization. The establishment reloaded the rifle with the .22 Magnum Rimfire round and administered the second stun attempt, which rendered the sow insensible (b) (6) notified (b) (6) of the ineffective stun via phone call. US Retain Tag #B7005923 was applied to the stun box at 1:50pm and stunning activities were ceased. (b) (6) (Plant Manager (b) (6)) was informed that a non-compliance would be issued. Denver District Management was contacted through supervisory channels. This non compliance is being linked to NR AOC5911052712N for the same root cause.	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M11032+P11032+V11032	Northwest Premium Meats, LLC	{8D011D2D-463F-4FC7-9ECE-AC894066C141}	AOC5911052712N-1	05/12/2020	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII: Stunning Effectiveness On 5/12/2020 at approximately 1005 a beef cow was loaded into the stun box. The (b) (6) and (b) (6) observed the animal to be down in the box with the head trapped back behind it's flank along the wall of the stun box. (b) (6) advised the establishment the animal will need to stand in order to be stunned and eligible for inspection. The establishment was able to get the cow to stand and a single stun attempt was made through the forehead with a handheld captive-bolt gun (HHCB). The animal remained standing and began bleeding from the nose. The cow did not vocalize. The HHCB was reloaded and a second stun attempt was made through the forehead. The animal dropped and was confirmed unconscious and insensible. (b) (6) directly observed both stunning attempts and confirmed insensibility following the second stun. A retain tag was applied to the stun box at approximately 1015, B7005921, and stunning ceased. The incident was discussed with Boise FLS and Boise DVMS as well as Denver District Management. The affected head was skinned and there were two holes in the forehead. One hole was on midline but approximately 3 inches rostral from appropriate location (almost between the eyes) and penetrated approximately 2 inches, and the second was off midline by approximately 1 inch from appropriate placement with penetration of approximately 4 inches. The establishment has replaced the spring in the hand-held captive bolt gun due to low tension and a second gun is being purchased. A 22 magnum fire arm is available as an immediate back up stun device (b) (6) (b) (6) was notified of the non-compliance at the time of the incident and the regulatory control action on the stun box. (b) (6) was later informed verbally of the non-compliance. This non-compliance report is associated with another non-compliance from 5/12/2020, NR # AOC5209052712N, because the corrective actions were not sufficient to prevent recurrence.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-435

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M11032+P11032+V11032	Northwest Premium Meats, LLC	{D5FB1CF8-D4B7-47D8-A8B5-EFD7FB8966DB}	AOC5209052712N-1	05/12/2020	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII: Stunning Effectiveness On 05/12/2020 at approximately 8:05am CSI was performing inspection duties on a viscera. CSI heard the hand-held captive bolt (HHCB) device fire. CSI observed movement in the stun box and that the cow was still standing and conscious. CSI observed the stun operator reload the HHCB device. The CSI approached the stun box, the CSI observed a spot of blood about the diameter of a dime located on the right side of the poll. There was no vocalization from the cow. CSI observed blood coming from the nose of the animal and the cow was snorting and showed signs of agitation. The employee performing stunning immediately applied the second stun using the HHCB that he had reloaded, and rendered the cow unconscious. CSI informed the employee performing stunning, along with kill floor supervisor and other kill floor employees, that a retain tag would be applied to the stun box. The CSI placed Retain tag B7005932 on the stun box and proceeded to notify (b) (6) via a phone call. After contacting the Denver District Office via the supervisory chain of command, the Retain Tag was removed from the stun box at approximately 8:25am, and the establishment resumed operations. (b) (6) was verbally notified that a non-compliance would be issued.	CLOSED
M11116	Osteen Meat Service Inc.	{0EE0009B-19DA-4960-BC27-49AE84BE719E}	TOA4206045114N-1	04/14/2020	04C02	Livestock Humane Handling	313.2	HATS Category III: Water and Feed Availability; 9 CFR 313.2(e) On 4/14/2020 at approximately 7:15 a.m., while performing a Livestock Humane Handling Verification Task, I, (b) (6) observed the following noncompliance: The antemortem holding pen did not have any water available for the pigs. I observed that the pipe that normally led to the water nipple was broken and that there were no buckets of water in the pen. I informed (b) (6) that the pigs did not have water. He informed Mr. Steve Osteen, the establishment owner. Upon investigation, Mr. Osteen discovered that the main water line had been turned off. He turned the line back on and water immediately began flowing from a hose draped over the side of the pen. I asked Mr. Osteen how long the pigs had been in the pen, and he said that they had been unloaded less than an hour prior. The pigs appeared to be well hydrated and were not in any distress. I informed Mr. Osteen that a noncompliance record would be documented. This document serves as written notification that failure to comply with regulatory requirements could result in additional regulatory or administrative action.	CLOSED

# Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 5

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M13054+P13054	H & B Packing Co. Inc.	{19F1C313-5061-4AF0-B982-C9FDA2C8DC54}	YUF2307054523N-1	05/23/2020	04C02	Livestock Humane Handling	313.2	While doing a walkthrough of the cattle holding pens on 5/23/2020 at 6:45am, the following noncompliance was observed: A black newborn calf was observed in Pen 20 that did not have access to water. This calf was observed for the first time around 4:30pm on 5/22/2020 and plant personnel was asked at that time to place a low container of water in the pen with the calf because the automatic waterer was too high off the ground for the calf to have access. A container of water was added to the pen. On the morning of 5/23/2020, the container was then found to have been removed from the pen overnight, reportedly by the employees feeding the cows. This is a violation of 9CFR 313.2(e), which states that all animals in holding pens must have access to water (b) (6) and cattle handling employees were notified of the noncompliance and that a Noncompliance Record would be issued. A container of water was placed in the pen with the calf, correcting the issue.	CLOSED
M1311	JBS Souderton, Inc.	{3F531EE9-7A21-4DE8-8DD6-62AA7ECDE6C0}	KID2814052211N-2	05/08/2020	04C02	Livestock Humane Handling	313.2	HATS Category IV: Handling During Ante Mortem Inspection On 5/8/2020 at approximately 910 hours as I (b) (6) was performing Humane Handling (HH) Inspection IPP observed the following noncompliance. A group of cattle was exiting the scale pen, one of animals turned back to the scale pen and the company employee closed the gate causing it to get caught on the cow's hip. The cattle vocalized loudly. The company employee pulled the gate in the opposite direction allowing her to release herself. I immediately notified (b) (6) of the establishment failure to comply with the regulatory requirements of 9 CFR 313.2(a).	CLOSED
M1311	JBS Souderton, Inc.	{9F2EB5F9-E54D-4D66-B1B6-E641F085C896}	KID2814052211N-1	05/08/2020	04C02	Livestock Humane Handling	313.2	HATS Category III: Water and Feed Availability On 5/8/2020 at approximately 1102 Hours, I (b) (6) was conducting Humane Handling (HH) Inspection at JBS, EST. NO. 1311 M when I observed the following noncompliance. There was no water in Pens #10 and Pen # 11. This two pens share the same water trough and both had livestock in them. I immediately informed establishment employee. He turned on the water and filled the trough in my presence. IPP informed (b) (6) verbally and in writing of the establishments failure to comply with the regulatory requirements of the 9CFR 313.2(e) which requires that the water be available to livestock in all holding pens.	CLOSED

# Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 6

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M1311	JBS Souderton, Inc.	{D2FAE026-155E-4C3D-8AD7-ADB894BFC995}	KID2814 052211N -3	05/08/2020	04C02	Livestock Humane Handling	313.2	HATS Category IV: Handling During Ante Mortem Inspection On 5/8/2020 at approximately 1540 Hours while performing Humane Handling Inspection (HH) I (b) (6) observed the following noncompliance. I observed a large number of cattle in the crowd pen, with the swing gate closed, causing restriction of movement into the serpentine. This restriction of movement caused one of the cows to go down and being stepped on by other cattle in the area. I instructed the barn employee to open the gate so the others animals could be released from the crowd pen which then allowed the cow that was down on the ground to stand back up. I immediately informed (b) (6) of the establishment failure to comply with the regulatory requirement of 9 CFR 313.2(a).	CLOSED
M13324	K & C Meat Processing	{2ADB2B98-2E37-495A-A19A-BE29A5E110E6}	WGG251 2040806 N-1	04/06/2020	04C02	Livestock Humane Handling	313.1	On 04/06/2020 at approximately 1205 hours while conducting inspection duties, (b) (6) observed the following non-compliance: A livestock pen which had approximately 12 livestock (hogs) in them had a wooden plank which was used as a wall covering, fell and landed on the floor very close to several of the livestock's, the wood was about approximately 4 1/2 feet in length and 1 1/2 feet in diameter and in a severely decayed state with several parts of it breaking off into small and large pieces across the holding pen. The wooden plank also had several visible protruding rusted nails still attached to the wooden plank and also on the wall it was previously attached to. A U.S Reject tag with number B30 400556 was placed on the gate of the entrance of the holding pen. I then proceeded to notify Kent Fisher, Owner/Manager, of the reject tag and a forth coming non-compliance with 9CFR 313.(a) which states that: Livestock pens, driveways and ramps shall be maintained in good repair. They shall be free from sharp or protruding objects which may, in the opinion of the inspector, cause injury or pain to the animals. Loose boards, splintered or broken planking, and unnecessary openings where the head, feet, or legs of an animal may be injured shall be repaired. No livestock was seen to be harmed due the fall of the decayed wooden plank.	CLOSED
M13324	K & C Meat Processing	{4C971941-6D16-41FE-BF78-91ABB8D3B98}	WGG411 0062812 N-1	06/11/2020	04C02	Livestock Humane Handling	313.2	While performing a Humane Handling task at approx. 2:43, with (b) (6), I found 3 calves in pin #4, and 3 hogs in pin #3 to be without water. There were 10 sheep in the first and second pin that each had buckets of water supplied for them. This is a direct violation of 9CFR 313.2(e). I notified (b) (6) of the non-compliance. (b) (6) informed me the water had been turned off by the city but he was able to give all the animals water from buckets that he had saved. I was able to verify that the city turned the water back on at 5:40	CLOSED

# Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 7

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M17776	Trenton Halal Packing Company	{44A44E9B-EE1E-4419-8B89-A66A3D9E62B1}	BBE5711052806N-1	05/06/2020	04C02	Livestock Humane Handling	313.2	At approximately 12:10 pm, at Trenton Halal, (b) (6), (b) (6) observed the following Humane Handling noncompliance, and immediately notified the (b) (6) (b) (6) who took immediate action to correct the conditions. Approximately 20 goats were in the holding pen, without access to water. It was at least ten minutes since the start of lunch and these animals were not in the process of being slaughtered or moved. According to the 9 CFR 313.2 Handling of livestock; animals are to have access to water at all times, except for when they are being handled. An humane handling noncompliance that included this same violation was documented 1 month ago on April 6th, NR BBE3413040406N/1. This NR is being associated to the previous violation. Repeated violations of this type, may result in more severe regulatory action, and may involve the district office.	CLOSED
M17776	Trenton Halal Packing Company	{681D83DA-FEA8-4B28-B3B3-069EEE40712B}	BBE3413040406N-1	04/06/2020	04C02	Livestock Humane Handling	313.2	Today April 6, 2020, at Trenton Halal, est. 17776, at approximately, 1:40pm shortly after the establishment had finished hanging goats to slaughter for the day, I proceeded to the kill floor and made the following observation. Inside the holding pen, approximately 30 goats were jammed up so tightly that they were all unable to move. One goat was stuck partially out of the pen and was pinned down such that it could not move. Other goats were also pinned down. There was no water for the goats here. The rest of the pen held inedible barrels. The goats were not at the time being tended to. Their situation was in violation of 313.2(e) which states that animals must have access to water, and enough room to move and lay down and stand up. The floor supervisor had already gone for the day, so I instructed the facility manager in charge, (b) (6) that this was a non-compliance that needed immediate remediation. The barrels were moved to the driveway, and the pen was opened up to give the goats more space and access to the water.	CLOSED
M17778	E.N.A. Meat Packing Inc.	{059ABCA8-2D90-480A-9699-CB47CBB0EAE1}	NNF2815064912N-1	06/11/2020	04C02	Livestock Humane Handling	313.1, 313.2	At approximately 1615 hours, while performing a visual inspection of the indoor and outdoor pens area, I observed that the indoor pens, where beef and goats were being kept, did not have any water in them. The pen with cows in it, did not have any water bucket. This is a noncompliance with 9 CFR 313.2(e) Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed. There shall be sufficient room in the holding pen for animals held overnight to lie down. (b) (6) (b) (6) was notified of the noncompliance.	CLOSED

# Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 8

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M17965	Gold Medal Packing Inc.	{261F65BB-1C4F-4578-9E85-67A7F0323DE2}	JRF1305051329N-1	05/29/2020	04C02	Livestock Humane Handling	313.2	On 05/29/20, at approximately 0530 hours, while performing Ante-mortem inspection, I (b) (6) observed that the Swine in pen 7 that was saved from Wednesdays (05/27/20) slaughter for being too large for plant to accommodate did not have access to feed. Water was available to the animal. Ante-mortem was not done on this animal, the owner had not picked it up at that point. Gold Medal is still responsible for the animals well being when in their control. The non-compliance is a violation of 9 CFR 313.2(e), which states "Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed" (b) (6) was notified of the forth coming non-compliance, and for corrective action.	CLOSED
M17D+P7613+V17D	Smithfield Packaged Meats Corp.	{4CD0B13A-CC61-4422-9285-052B0BAE423F}	WLJ3020064423N-1	06/23/2020	04C02	Livestock Humane Handling	313.2	HATS Category III: Water and Feed Availability On 6/23/2020 at approximately 1825 hours while performing a HATS Category III Humane Handling Verification Task, I observed the following non-compliance. Directly North of the second-to-last section of drive alley to the (b) (4) room directly across from pens 45 and 47 is a holding pen area utilized by establishment employees to place animals to rest that are being driven to slaughter and subsequently identified as becoming fatigued/non-ambulatory. Along the North cement wall of this pen is a double-nipple waterer. I observed one hog in lateral recumbency in this pen. I also observed that a metal hog restraining c-gate was placed around the only nipple waterer for this pen completely blocking any access to water. I immediately showed (b) (6) (b) (6) my findings and informed him of the forthcoming non-compliance report. (b) (6) then immediately removed the restraining gate from blocking the waterer. This is non-compliant with 9 CFR 313.2(e).	CLOSED
M18894	Shirk Meats	{37F44248-6D53-42FA-AE55-F1797BBFB3F6}	VUA3506044929N-1	04/29/2020	04C02	Livestock Humane Handling	313.2	HAT category III water and feed availability On April 29,2020 at about 0705 while performing antemortem, the CSI observed the sheep located in pens 5 & 6 which were left over from the previous day's slaughter currently had no water available. The lambs in pens 7 & 8 also had no water available. I informed an employee in the pens and the owner of Shirk Meats of this violation. I asked the employee when the lambs in pens 7 & 8 arrived, and he had no clear time of arrival. I also informed him that water must be available at all times per regulations - animals must have water available at all times. Subsequently this is a violation of 9 CFR 313.2	CLOSED



# Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 9

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M18988A+P1 8988A+V189 88A	Ebels Family Center, Inc.	{23CDD04E-F00 9-4465-9622-BA BF7C11F5E6}	BXK2011 052321N -1	05/21/20 20	04C02	Livestock Humane Handling	313.1, 313.2	At approximately 1145 on Thursday 05/21/2020 near the live animal unloading area, the following noncompliant conditions were observed: HATS Category III: Food and Water Availability The establishment's livestock trailer, which is sometimes used on premises as a secondary animal holding pen was observed to be holding approximately 25 hogs. The trailer was divided by a closed interior door. Approximately 15 hogs were located in with an accessible barrel of water equipped with a nipple style waterer; however approximately 10 hogs located in the rear section of the trailer had no access to water. There was a grey tub that may have contained water at one point but was dry at the time IPP observed the hogs. The hogs had been contained in the trailer since the previous day 05/20/2020. This is a violation of 9 CFR 313.2(e) which states that animals shall have access to water at all times, and access to feed if held for longer than 24 hours. HATS Category II: Truck Unloading The establishment's hog unloading ramp, which is portable and made out of plywood, was observed to have an area of broken wood with one large wood screw exposed in an area that hogs would walk on when using the ramp. The ramp was not in use at the time IPP observed the noncompliant condition. The ramp was tagged with U.S. Rejected B37557062. This is a violation of 9 CFR 313.1(a) which states that pens, driveways, and ramps shall be maintained in good repair and be free from sharp or protruding objects. Continued failure to meet regulatory requirements may result in further enforcement actions as described in 9 CFR 500.4.	CLOSED
M18988A+P1 8988A+V189 88A	Ebels Family Center, Inc.	{AEF2579C-BBE F-4856-8A16-981 FF0135751}	BXK3911 052112N -1	05/12/20 20	04C02	Livestock Humane Handling	313.1	HATS Category VII - Slips and Falls On Tuesday, May 12, 2020 at approximately 1206 hours while observing humane handling during truck unloading and humane handling during antemortem inspection, the following noncompliance was observed: I observed 2 of the beef in the east pen slip during antemortem inspection due to the large amount of manure present in the pen. Additionally, I observed 2 beef slip during truck unloading into the west pen and also observed one beef slip and fall down to its sternum due to the large amount of liquid manure present on the floor and in the drains. This is not in compliance with 9 CFR 313.1(b) which states that "Floors of livestock pens, ramps, and driveways shall be constructed and maintained so as to provide good footing for livestock." (b) (6) was notified of the above noncompliance and immediately began unclogging the drains and applying more sawdust to the floors in both pens. No regulatory control action was taken, as corrective actions were immediately implemented. No similar noncompliance reports have been issued in the past 60 days. (b) (6) was notified of the above noncompliance and that a noncompliance report would be issued.	CLOSED

## Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 10

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M19290+P19290+V19290	Working H Meats, LLC	{AABAD431-1B9C-46B8-8CCF-9378DC37785E}	NAW0815045723N-1	04/23/2020	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII : Stunning Effectiveness On 4/23/2020 at approximately 1:15 PM on the slaughter floor the following noncompliance was observed: The initial stun of a cow, using the 25 caliber captive bolt device, caused vocalization and the cow remained standing. (b) (6) took immediate corrective action and grabbed the .308 rifle off the gun rack behind him and immediately and successfully stunned the cow. The shot rendered the cow to the unconscious state immediately and the cow remained unconscious throughout the sticking and bleeding out procedure. I informed (b) (6) and (b) (6) that there would be this noncompliance report to document this incident. This incident is a violation of CFR 313.15(a)(1).	CLOSED
M19478	ABF Packing, Inc.	{F238CDDDB-80C-C-4A7A-B267-25C0197EA201}	AMH2610061922N-1	06/20/2020	04C02	Livestock Humane Handling	313.15(a)(1)	On June 20, 2020, (b) (6) was performing the humane handling task at establishment M19478. (b) (6) was verifying compliance of the HATS category VIII, the effectiveness of stunning, and 9 CFR 313:15(a)1. At approximately 1240 hours (b) (6) observed an establishment employee attempt to knock a small steer in the establishment's knock box. The was small enough to turn around in the knock box. The establishment employee applied the first knock to the back of the poll but the knock was ineffective. The steer remained standing, and displayed rhythmic breathing, normal blinking, tracking eye movements and moving around in the knock box. The establishment employee immediately grabbed the second captive bolt gun present but when he attempted to apply the second knock, the gun failed to fire. He then broke down the gun, removed the bullet, and replaced it with another charge. During this time the animal was conscious. After the captive bolt was reloaded, the knocker applied the second knock to the back of the poll and this knock was effective at rendering the animal unconscious. The steer immediately dropped to the ground, did not display any tracking eye movements, rhythmic breathing, or righting reflex. (b) (6) immediately notified (b) (6) and (b) (6) of the humane handling noncompliance (b) (6) and (b) (6) followed the carcass of the steer numbered 189 to the head station to verify the placement of both knocks. The first hole was several inches to the right of where the proper placement of a poll knock should have been, and there was an additional hole properly placed in the back of the poll from the second stunning attempt. This noncompliance represents a failure of the establishment to comply with 9 CFR 313:15(a)(1) in which the captive bolt stunner shall be applied to the livestock to produce immediate unconsciousness in the animal and the establishment's written Robust Systematic Approach to Humane Handling.	CLOSED

## Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 11

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M19549A	Elkhorn Valley Packing LLC	{7280B7FD-001C-4049-B7F1-2954C9148E17}	KEE5307061019N-1	06/19/2020	04C02	Livestock Humane Handling	313.2	At approximately 0600 this morning while performing ante-mortem inspection, I found that there was no water available to 2 pens holding 32 and 33 head of cattle. This is a violation of CFR 313.2(e). The automatic waterer between pens 3 and 4 had been removed due to a damaged support leg that was allowing it to lean towards pen 4. In its place 2 small water tubs had been placed to provide water to the 2 pens. Both tubs were empty of water, due to being much too small for the number of cattle. I stopped ante-mortem at that point and had a company employee fill the water tubs before putting cattle back in the pens and I directed him to empty these pens ASAP and not use them until the situation was resolved. I then told my helper and (b) (6) that an NR would be generated.	CLOSED
M20403	American Halal Meat Inc.	{C66CD7B9-E839-42F4-9B9F-710AE8485896}	PID2112050829N-1	05/29/2020	04C02	Livestock Humane Handling	313.2	While performing HATS Category III (Water and Feed Availability) during a directed Livestock Humane Handling task for verification of a regulatory action, on May 29, 2020 during the establishment lunch break, at just before 12:15 pm, I observed 7 heifers/steers lying down in the alleyway leading to the chute, without access to water. This is in violation of 9 CFR 313.2(e). Since the employees were on their lunch break, the animals were no longer in queue for slaughter, and as such, they are required to have access to water. I verbally notified (b) (6) at 12:23 pm, and they took corrective actions to restore access to water.	CLOSED
M20608+P20608	The Pork Company	{E6A4DFA2-FB31-4BEF-A70A-194E96230DD2}	KVC0809064512N-1	06/12/2020	04C02	Livestock Humane Handling	313.1	At approximately 9:30am while performing a humane handling task the following noncompliance was observed: I was watching pigs being unloaded from a truck in groups of about 10-12. In just about every other group that was unloaded 1-2 pigs would slip or fall when exiting the ramp. The ground was wet as it had rained earlier and very little shavings had been put down on the ramp. The shavings that were on the ramp were wet and had been pushed to the sides of the ramp. There were no shavings on the flooring off the ramp leading to the holding pen. I notified the (b) (6) that the plant would receive a noncompliance record due to several pigs slipping and falling. The plant's failure to provide adequate footing to prevent slips and falls has led to noncompliance with 9 CFR 313.1.	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M20780A	Elysian Fields, LLC	{75E9320E-CB7E-4B16-A40D-A85854C88B63}	VYA5807061109N-1	06/08/2020	04C02	Livestock Humane Handling	313.1	On the morning of Monday (June 8, 2020) while observing slaughter procedures at approximately 0725 hours, I was summoned to the final holding pen to observe a concern by this establishment. The design of this final holding pen has metal livestock panels with square livestock wire behind it. A lamb had stuck its head through the panel and got lodged between the wire. The livestock wire was at a level behind the metal panel that created a different dimension at this area. I found the lamb to be calm and not injured or being injured. I observed no restriction to breathing as well. The establishment's immediate response was to immediately knock the lamb in place, instead of causing any undue stress that would have been caused by pulling or any other handling that may lead to harm to this lamb. I observed a proper stun, causing immediate unconsciousness, and proper sticking. Once this was completed, plant employees pulled on the wire and removed the lamb. A temporary blocking was installed before slaughter procedures resumed. I (b) (6), was then informed that this wire will be removed and replaced with plywood to prevent this event from re-occurring. I informed (b) (6) that this would be documented on a non-compliance report, to document this facility deficiency under 9CFR 313.1	CLOSED
M21069	Premium Iowa Pork, LLC	{EE04CBC9-D72F-480B-B398-F67788B48C91}	CME3615042004N-1	04/04/2020	04C02	Livestock Humane Handling	313.15(a)(1)	HATS category IIX, Stunning Effectiveness At 12:43 on April 4, 2020 at Est. 21069M I, (b) (6), observed the following noncompliance: I was in the "Slow" pen observing (b) (6) euthanize a hog in lateral recumbency via captive bolt gun. The gun discharged with a soft pop, and a wound was observed on the forehead of the hog. The hog remained conscious as evidenced by continued blinking and tracking eye movement. (b) (6) retrieved and loaded the backup gun from a toolbox on the pen wall, then administered an effective second stun rendering the hog unconscious. The hog was found to have two wounds penetrating the skull. A verbal regulatory control action was taken to suspend captive bolt stunning. When (b) (6) took the gun used on the first stunning attempt outside to fire it, it again made an unusual noise; the gun was removed from service. After this preventive measure, stunning was allowed to resume. Failure to render an animal immediately insensible on the first stun represents noncompliance with 313.15(a)(1). I informed (b) (6) that an NR would be forthcoming.	CLOSED

## Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 13

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M21285+P21285	Harvest House Farms	{D2E00E6F-5685-4536-8D99-8B62BFABB83C}	BYC0608060702N-1	06/01/2020	04C02	Livestock Humane Handling	313.2	On 01 Jun 20, at approximately 12:00 a.m. while inspecting the plant during a walk-thru inspection to verify the effectiveness of the plant's monitoring of their SSOP, accompanied by (b) (6), we observed the following non-compliance per 9 CFR 313.2 (e). U.S. Reject Tag # B35468661 was issued: In the Holding pens area, we observed no water (in buckets) available for cattle that were in the process of being harvested. Although water nipples are available in each pen, this is not adequate for cattle. This was brought to the attention of Mr. Kip Thompson, Establishment Owner. 9 CFR 313.2 (e) states: "Animals shall have access to water in all holding pens and, if held longer than 24 hours."	CLOSED
M21595+P21595	Mayar's Halal Meat Processing	{F78EEC02-07E1-4EA8-B0D3-19A40CE3B266}	KPD2714064905N-1	06/05/2020	04C02	Livestock Humane Handling	313.1	While performing a Livestock Humane Handling task on 06/05/20 at approximately 0840 hours, I was performing Ante-Mortem Inspection on beef cattle in the driveway just before they go into the another section that's gated that leads to the plant. The animals were a little wild and knocked out a wooden board exposing the bolts from the frame of the posts. The exposed bolts and wooden board posed a hazard to the animals and could cause injury. Driveways must be maintained in good repair. I applied U.S. reject tag# B-45030948 and informed (b) (6) of my findings and the forthcoming noncompliance. The beef cattle were removed into a section away from the hazards. . No animals were harmed, the board was replaced, all hazards were fixed and I released it at 14:03 hours. This is a noncompliance with the following regulatory requirements of regulation 9 CFR 313.1 (a).	CLOSED
M21700	Island Grown Farmers Cooperative	{3BD5BBE1-936C-4C63-8139-C9AFFE8BF931}	OXL5210060905N-1	06/04/2020	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII – Stunning Effectiveness At approximately 11:40am, while observing stunning of angus cattle with a handheld captive bolt device (HHCBD), (b) (6) recognized the following noncompliance with 9 CFR 313.15(a). An establishment employee was attempting to stun an animal which was restrained in a squeeze chute. I observed the first stun attempt make contact with the head of the animal. The animal remained standing and alert without displaying any obvious reaction to the stun attempt. The stunning employee immediately reloaded the HHCBD delivered a second stun attempt. This second stun attempt rendered the animal insensible. A third, 'security' stun was then applied with the HHCBD, and I verified that the animal was not displaying any signs of consciousness. I then examined the head and found three stun holes. I placed US Rejected tag number B37310266 on the knock box and informed establishment manager, Jim Wieringa, of the noncompliance and corresponding regulatory control action. This noncompliance is being linked with NR#OXL0214041517N for the same root cause that was issued on 4/17.	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-435

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M21700	Island Grown Farmers Cooperative	{96E28278-8BEE-4475-ABE9-45EA9FC35264}	OXL3312 042916N -1	04/14/20 20	04C02	Livestock Humane Handling	313.2	HATS Category III - Water and Feed Availability At approximately 11:10 AM on April 14, 2020, while performing antemortem on a lot of animals (sheep) loaded in the back of a truck with a canopy being used as a holding pen. (b) (6) observed that there was no water available for the animals being held in this vehicle. All pens including trucks and trailers which are frequently used as holding pens on this assignment due to Island Grown Farmers Coop members hauling to a Coop members farm where the mobile slaughter unit is based for that day. (b) (6) observed the farmer add a filled water bucket to the back of the truck immediately therefore no regulatory action was taken. A review of FSIS records shows no similar noncompliance. (b) (6) verbally notified Plant Manager Jim Wieringa of the noncompliance with 9 CFR 313.2(e).	CLOSED
M21700	Island Grown Farmers Cooperative	{D572B8A7-FD24-4753-AFBF-353655920905}	OXL0214 041517N -1	04/16/20 20	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII - Stunning Effectiveness On 4/16/2020 at approximately 2:45pm, (b) (6) observed an establishment employee attempt to stun the last market swine of the day. The stun operator entered the approximately 15 feet by 5 feet enclosed area of the trailer housing the swine and applied a first stun attempt to the animal with a hand-held captive bolt (HHCB) device. (b) (6) observed the HHCB device contact the animal's head, and the animal began to bleed, but insensibility was not achieved. (b) (6) observed the swine remain standing and vocalizing and ambulating around the trailer. The stun operator immediately stepped out of the trailer to retrieve the backup stunning device; a 22-caliber rifle which was stored in the nearby mobile slaughter unit. The stun operator returned to the trailer and waited to line up a clear shot in the trailer until the swine had calmed. This second stun attempt rendered the animal insensible. (b) (6) verified the swine remained unconscious throughout the shackling, hoisting and bleeding process, and slaughter operations ceased for the day. No USDA reject tag was applied as this was the last animal of the day. The Denver District Office was contacted through supervisory channels. There have been no other non-compliances for the same root cause in the last 90 days.	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M21700	Island Grown Farmers Cooperative	{FE003C89-2A52-43B6-B611-033BFB619E3F}	OXL3913 065819N -1	06/18/2020	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII – Stunning Effectiveness At approximately 8:15am on 6/18/2020, while observing stunning of cattle with a handheld captive bolt device (HHCBD), (b) (6) recognized the following noncompliance with 9 CFR 313.15(a). An establishment employee was attempting to stun an animal which was restrained in a squeeze chute. I observed the first stun attempt make contact with the head of the animal. The animal continued to blink and displayed an intact palpebral reflex. It exhibited a conscious vocalization and appeared to be eye-tracking. The stunning employee immediately reloaded the HHCBD delivered a second stun attempt. This second stun attempt rendered the animal insensible. I observed that the cartridge loaded into the HHCBD for both stun attempts was labelled for lambs and not for beef. Another set of cartridges, labelled for beef, were present nearby but not being used. I promptly informed establishment manager, Jim Wieringa, of the noncompliance and use of the incorrect cartridge for the first attempt. I communicated with my supervisory chain before allowing slaughter to resume. This noncompliance is being linked with NR#OXL5210060905N for the same root cause that was issued on 6/4/2020.	CLOSED
M21780+P21780+V21780	Burt's Meat & Poultry	{990F9D77-52AC-4869-A412-55AB6B8D64A2}	QTD0715 063212N -1	06/11/2020	04C02	Livestock Humane Handling	313.16(a)(1)	On 6/11/2020 at approximately 1345 hrs. while performing a HATS category VIII-Stunning Effectiveness task, the 11th of 11 beef for the day was restrained in the head catch of the restrainer and (b) (6) attempted to stun the beef by .22 mag gunshot to the frontal skull. I was behind a wall in the adjacent room from the stunning area, I heard the gunshot but did not hear the beef drop to the floor, I looked around the wall corner from where I was positioned and observed the beef standing and conscious. (b) (6) took immediate corrective action and fired a second gunshot rendering the beef unconscious. No vocalization was heard during the stunning attempts. I examined the shot placement on the skinned head, the first shot was located just below the horn base in the center of the head, and the second shot was an inch below that. I took a regulatory control action by affixing US reject tag B40942612 to the cattle restrainer and informed (b) (6) would be suspended. (b) (6) indicated that during the first stunning attempt the beef lifted its nose and hit the end of the gun, which resulted in a high head shot. (b) (6) gave me verbal corrective and preventative actions; the US reject tag was removed from the restrainer.	CLOSED

# Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 16

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M22029	Taylor's Meat Processing	{38856271-426A-4646-8F98-E8113A1276C5}	EKE0512045229N-1	04/29/2020	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(b)(2)	On Wednesday, April 29, 2020 at approximately 0945 hours, I, (b) (6) observed the following non-compliance at Taylor Meat Processing in the slaughter room. While attempting to render a Bull unconscious, the first shot of the 22 Magnum firearm that was used did not render the animal unconscious. A second shot was taken immediately with the same gun and the animal was rendered unconscious. (b) (6) was notified of this non-compliance. This is in non-compliance with 9 CFR 313.16(a)(1) and 313.16(b)(2).	CLOSED
M245C+V245C	Tyson Fresh Meats, Inc.	{861E2B83-8D13-49A9-9948-2B3A49C72D4D}	ZRG3117053712N-1	05/12/2020	04C02	Livestock Humane Handling	313.15(a)(1)	At approximately 1602 on 05-12-2020 while performing the Humane Handling Category 8 – Stunning Effectiveness, I observed the following non-compliance; I observed a heifer within the center-belly restrainer move its head/body back and forth multiple times. The pneumatic captive bolt stun employee stood back and a second employee attempted to stun the same heifer using a hand held captive bolt instead. When the hand held captive bolt was fired, it pierced through the skin of the animal, but failed to render the animal unconscious as evidenced by the lack of loss of posture and its responsive to the environment-eye movement. From this ineffective stun wound, located a half inch along the mid-line of the skull, above center of the forehead, blood was observed. The animal did not vocalize. The same employee, immediately and effectively stunned the animal again with a reloaded hand-held captive bolt device, rendering the animal unconscious. I informed (b) (6) and (b) (6), (b) (6) of the non-compliance and the forthcoming non-compliance record for failure to render the animal unconscious on the first attempt. No regulatory control action was taken at the time due to the immediate and effective second stun, and the animal had not vocalized.	CLOSED



EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M2460+P2460	Cimpl's, Inc.	{40F024FB-7A40-46DD-B9F6-4118F4340109}	PMB2217041515N-1	04/15/2020	04C02	Livestock Humane Handling	313.1	On April 15, 2020 at approximately 1135, I (b) (6) was performing HATS Category IV - Ante-mortem Inspection. The establishment employee was moving cows out of the west gate of pen 17 when I observed non-compliance with HATS Category VII – Slips and Falls. The establishment poured new waffled concrete beginning at approximately the halfway point of pen 17 continuing west to the end of the barn. The waffled flooring had become compacted with dirt and manure. Seven cows slipped in this area while an establishment employee was moving them in and out of the west gate to this pen. No injuries were observed. U.S. Rejected Tag B38162492 was placed on the west gate to pen 17 and (b) (6) was notified. The cows held in this pen could be moved with no slips and falls through the east gate of this pen. The establishment placed sand in the area outside the west gate to help prevent further slips. I verified the corrective actions and the Rejected Tag was removed. This finding is not in compliance with 9CFR 313.1(b).	CLOSED
M2460+P2460	Cimpl's, Inc.	{95D44A14-5B3F-438B-9621-128C37E9F754}	PMB4413063015N-1	06/15/2020	04C02	Livestock Humane Handling	313.2	On 6/15/20 at approximately 1245 while performing HATS task Category II – Truck Unloading, I (b) (6) observed the driver of a G&J Logistics truck unloading the remaining four adult cows from the nose of the semitrailer. The cows had reached the mid part of the top rear compartment when they stopped. The truck driver was observed swinging the dividing gate into the hind quarter of one of the cows to get the cows to move forward. He then repeated this action, again hitting the cow in the hind quarter to get them to move forward. The cows continued to remain stationary and non responsive to the truck drivers actions. The truck driver was then observed kicking the same cow in the hind quarter with the sole of his foot. He repeated this action two more times, the sole of the foot contacting the cow each of the three times. The animal flinched with each kick but did not move from it's position. The truck driver was then able to get the cows to move off the trailer with no other physical contact with his foot or dividing gate. The cows did not vocalize and were uninjured throughout this process. (b) (6) and (b) (6) were both notified of these observations. There were no immediate corrective actions given at this time. I requested truck unloading cease at this time. After a brief discussion with the (b) (6), truck unloading was resumed. These findings are not compliant with 9CFR 313.2(c).	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M2460+P2460	Cimpl's, Inc.	{B1A36838-E456-466F-A621-A889546DE6F8}	PMB0318050721N-1	05/21/2020	04C02	Livestock Humane Handling	313.1	<p>On May 21, 2020 at approximately 0618, I (b) (6) was performing HATS Category IV – Antemortem Inspection when I observed non-compliance with HATS Category VII – Slips and Falls. Lot 15 was presented for inspection by an establishment employee. These cows were held in pen 10 and were moved to pen 12. When the cows were being returned to pen 10, I witnessed one cow slip on the floor approximately six feet east of the automatic waterer in pen 12. This cow's foot lost contact with the floor in a non-walking manner to regain its footing. Immediately after this I observed a second cow slip and fall into a laterally recumbent position in the same area as the first observed slip. This cow immediately rolled to a sternally recumbent position and rose to her feet. Neither cow appeared to be injured. The establishment employee immediately stopped moving the cows when the cow had fallen and allowed it to rise. The remaining cows in pen 12 were moved slowly back to pen 10 with no further incidences of slipping or falling. The area in which these animals fell was wet and had accumulated with manure. (b) (6) was notified of the finding. (b) (6) instructed an establishment employee to place sand in this pen 12 before moving cows into the pen. This was done immediately, therefore no U.S. Rejected Tag was placed on the pen. At approximately 0626, I was performing HATS Category IV – Antemortem Inspection when I again observed non-compliance with HATS Category VII – Slips and Falls. Lot 2 was presented for inspection by an establishment employee. These cows were held in the U.S. Suspect/Hold pen and were moved out of the east gate of the U.S. Suspect pen and into pen 17. I observed three cows slip approximately three feet from the east gate into the U.S. Suspect pen. All three cows slipped in that area and their feet lost contact with the floor in a non-walking manner to regain their footing. None of the cows appeared to be injured. This area into the pen had accumulated manure. This area is also where the cows began making their 90-degree turn into the alleyway in route to pen 17. The concrete in this area has shallow waffling but the grooves could not be seen in this area due to the accumulation of manure. (b) (6) was notified of these findings. No cattle were moved back into the U.S. Suspect pen. No U.S. Rejected Tag was placed on the U.S. Suspect pen as sand was verified to have been placed in this pen prior to it being used again. These findings are not in compliance with 9CFR 313.1(b). This NR is being associated with a similar NR (PMB5012040629N/1) issued on April 29, 2020 for similar incidences of cattle slipping in the barn. Written corrective actions provided by the establishment for the NR consisted of a 5-day monitoring of slips and falls in the barn. Also, it was stated that a procedure would be created to establish a documented frequency for cleaning the alleyway. These</p>	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
								corrective actions were either not implemented or were not sufficient to prevent recurrence of the non-compliance.	
M2460+P2460	Cimpl's, Inc.	{E4F876E8-7AC6-4076-90C4-5DF F0899FB32}	PMB501 2040629 N-1	04/29/2020	04C02	Livestock Humane Handling	313.1	On April 29, 2020 between the hours of 1110 and 1115 while performing HATS Category IV Ante-Mortem Inspection, I (b) (6) observed non-compliance with category VII Slips and Falls. As I observed the establishment employee moving animals out of pen 19 and back into pen 19 via the west gate of the pen. I observed 6 animals slip at the gate entrance during this process. While the employee was moving animals from pen 20 via the west gate of this pen I observed 5 animals slip while exiting and re-entering the pen. There were no injuries resulting from the slips. At this time I informed the barn employee that I was ceasing Ante-Mortem inspection until corrective actions were implemented. No supervisor was present. The barn employee contacted his supervisor to inform him of the finding. No U.S. Reject tags were placed as corrective actions, consisting of using the skid steer brush to clean the alley, were implemented immediately. At approximately 1210 hours I returned to the barn area and observed that the alleyway had been swept, cleaned and sanded. At this time I resumed ante-mortem inspection with no more issues of slipping. This finding is not compliant with regulation 9CFR313.1(b) This NR is being associated with a similar NR (PMB2217041515N/1) issued on 4/15/2020 for cattle slipping outside of Pen17. Written corrective actions for this NR consisted of deepening the grooves in the waffled concrete and increasing the frequency of cleaning the alley. These corrective actions either have not been sufficient or were not implemented to prevent recurrence.	CLOSED
M253	Long Prairie Packing Company, LLC	{10AEA886-2D8 A-4790-922E-561 E19889C31}	AGL4612 061606N -1	06/06/2020	04C02	Livestock Humane Handling	313.2	On June 6, 2020 at approximately 08:00 hours while performing ante-mortem inspection (HATS Category IV), I observed the following noncompliance with HATS Category III (Water and Feed Availability): the waterer located between pen 35 and pen 36 was steaming. Once these pens were empty (pen 36 contained 27 bulls while pen 35 contained 41 Canadian cows; both groups of cattle appeared healthy), I checked the waterer, which was too hot to touch. I took the temperature of the waterer after to find that it was too hot to read on the thermometer (H). The thermometer reads up to 110 degrees Fahrenheit; therefore, the temperature of the waterer was above 110 degrees Fahrenheit. I rejected pens 35 and 36 with U.S. Reject tags B41501078 and B41501074 until the problem was fixed. I informed (b) (6) of the forthcoming noncompliance with regulation 9 CFR 313.2 (e), which states animals shall have access to drinkable water in all holding pens.	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 20

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M253	Long Prairie Packing Company, LLC	{C3D088E5-4813-470F-ADCA-F434FA91E7EE}	AGL0917061630N-1	06/30/2020	04C02	Livestock Humane Handling	313.2	<p>HATS Category V Handling of Suspect and DisabledAt approximately 1500 on June 30, 2020, while verifying humane handling in the barn I, (b) (6), was walking from the restrainer to the barn office. As I was walking, I noticed a cow lying down in the alley behind the pens that leads to the carousel. As I continued walking, I noticed that cows were being driven down that alley into the carousel. I returned to observe the alley and observed approximately 15 cows being driven over the down cow. As the driven cows moved by the down cow I observed the down cow knocked over and struggle to return to sternal recumbency. I observed the cow knocked laterally two times by other cows. The cow did not vocalize during this incident. I did not observe the cow being stepped on. When all the cows were past her, she returned to sternal recumbency. The down cow was U.S. Condemned as a non-ambulatory disabled (NAD) cow and humanely euthanized. I verbally notified (b) (6) that I was taking a regulatory control action and not allowing any more animals to be loaded into the carousel until corrective actions were given. (b) (6) was contacted and offered corrective actions. After the corrective actions were received, I allowed animals to be loaded into the carousel again. I informed (b) (6) that I would be issuing a non-compliance. This is a violation of 9 CFR 313.2(a)</p>	CLOSED
M267	JBS Tolleson Inc.	{426D9002-2019-4461-8364-C8C8D417E588}	ECD0115063612N-1	06/11/2020	04C02	Livestock Humane Handling	313.1	<p>HATS Category VII Ante-Mortem Inspection On June 11, 2020 at approximately 0630 hours the following regulatory non-compliance was noted while performing Ante Mortem Livestock Inspection. 1. I observed that the animal holding pens located on the South West side of the pens with fecal/mud contents. The contents extended throughout the length of each pen. I took regulatory control action and placed US Reject Tags B45447115, B45447117, B45446582, B45446560, B45447118, B45446580, B45445916, B45447116 on Pens 27, 28, 29, 30, 38, 39, 40 and 41 due to the excessive back-up of fecal contents covering much of the flooring, and entryways of the pens. The animals located in the insanitary pens were moved to prevent slips and falls. 2. In addition, I also observed that the drains located on the South side of the pens in between pens 23-24, and in between pens 26-27 with excessive back-up of fecal contents, approximately 3-4 inches in depth covering much of the flooring. These findings were immediately shown to (b) (6) (b) (6) that a non-compliance record (NR) would be issued. The establishment failed to meet the requirements of 9 CFR 313.1 (a)(b) and 416.2(e)(2).</p>	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M267	JBS Tolleson Inc.	{5A18F406-2A96-4C7D-9BAB-085C1B0B4F6B}	ECD0815060009N-1	06/08/2020	04C02	Livestock Humane Handling	313.2	<p>HATS Category II Truck Unloading On Monday June 8th, 2020 at approximately 1035 hours while performing Ante Mortem Livestock Inspection I noted the following regulatory non-compliance. 1. Three Holstein heifers from Tonopah Dairy were in the process of being unloaded. I walked up to the truck where I saw (b) (6) (b) (6) with a red battery-operated electric prod (from the trucker) in his hand in a small enclosed area at the back of the truck. I saw him apply the prod once excessively for several seconds to the hind end of one of the three animals to attempt to get the heifers to move off the truck onto the unloading ramp. The heifer immediately responded to the prod in a frenzied manner, kicking, and circling around inside the truck with two other heifers. All three heifers still refused to exit the truck. I intervened and verbalized to (b) (6) to stop, and at that point he stopped using the electric prod. 2. A few minutes later I saw (b) (6) (b) (6) approach the truck with a green handled (JBS) battery-operated electric prod. Over the next several minutes I observed him repeatedly (at least 12 times) attempt to electric prod the three animals from the outside of the trailer. I observed the tip of the prod contact the animals in at least 10 of the attempts. Each time an animal was prodded it responded by kicking its hind legs with excitement and agitation. Despite these actions the animals circled around but still would not exit the truck. (b) (6) (b) (6) eventually gave up his attempt to get the animals off the truck. After observing this situation I discussed my findings with (b) (6). Regulatory control was taken at knock box with US Reject tag B45446581 at 1205 hours. I informed (b) (6) (b) (6) that a non-compliance record (NR) would be issued. The establishment failed to meet the requirements of 9 CFR 313.2 (a) and (b) (b) (6) (b) (6).</p>	CLOSED
M27426+P27426	Fischer's Meat Market, Inc.	{5F9399B0-E841-46CA-A473-D85B2E0BDCD0}	BOO2014064811N-1	06/11/2020	04C02	Livestock Humane Handling	313.15(a)(2), 313.2	<p>On 6/11/2020 at approximately 1403 while I was performing postmortem inspection, an establishment employee, (b) (6) moved a heifer (beef) from the alley into the chute and caught her head in the head catch. (b) (6) then returned to skinning a carcass that was already in the cradle. The heifer began to struggle in the head catch, vocalizing, and fell to her knees. The heifer continued to struggle with her tongue sticking out, the white of her eyes showing and repeatedly vocalized. The animal was unable to right herself due to the head catch. The heifer continued to struggle and vocalize. (b) (6) (b) (6) told the establishment employees to release the animal back or knock her immediately. (b) (6) (b) (6) applied a captive bolt to the heifer rendering her instantly unconscious. (b) (6) was notified of the noncompliance and that an NR would be issued.</p>	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M2800+P2800	Superior Farms	{1B3C0339-1C3B-45B3-8EA6-05B339465429}	RJO2108 043628N-1	04/27/2020	04C02	Livestock Humane Handling	313.1, 313.2	<p>Approximately at 0910 hours on Monday April 27, 2020 while performing Ante-mortem and humane handling inspection task, (b) (6) observed the following noncompliance. During truck unloading verification he observed 320 lambs were unloaded and one lamb fell down from lower deck into the holding pen area, lamb was not injured and managed to get up immediately. (b) (6) was also present at that time. (b) (6) showed her the issue and informed her that a noncompliance record will be documented. This is a violation of 9CFR 313.1(b) which states " Floors of livestock pens, ramps, and driveways shall be constructed and maintained so as to provide good footing for livestock. Slip resistant or waffled floor surfaces, cleated ramps and the use of sand , as appropriate, during winter months are examples of acceptable construction and maintenance", and also 9CFR 313.2 (a) which states " Driving of livestock from unloading ramps to the holding pens and from the holding pens to the stunning area shall be done with a minimum of excitement and discomfort to the animals. Livestock shall not be forced to move faster than a normal walking speed".</p>	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M2800+P2800	Superior Farms	{E1BA772B-40E6-4F71-8F02-8300D8975DEE}	RJO1116 045623N-1	04/23/2020	04C02	Livestock Humane Handling	313.1	<p>On April 23, 2020 at approximately 9:45am while conducting a humane handling task of the animal holding pens at Superior Farms Inc I observed three things that were in violation. First are the wooden planks used at the bottom of the main unloading ramp that is used to help animals with traction once they exit the ramp were bowing quite noticeably compared to the rest of the wooden planks that run parallel to each other with about a 1½ foot space between. This is creating a high potential for animals to slip and fall. Second thing I noticed is that the bottom metal bars to the holding pen that the animals are immediately unloaded into from the main unloading area was broken off from another metal bar and protruding inwards towards the holding pen. The metal bar broke where it was welded to another metal bar. The protruding metal bar was creating a sharp, jagged and uneven edge creating a condition for animals to cut or snag their wool on. The third and final thing I observed was a large piece of wool snagged to a Thumb screw used to secure a water regulature to the water trough. Normally the support bars that the water trough is secured to normally blocks the thumb screw from animals getting snagged by positioning the thumb screws behind the support bar. I observed five other troughs and all water regulators were installed to where the thumb screw was blocked by the support bar. With the thumb screw being completely exposed it presents a high potential for animals to snag and hurt themselves on There were no animals to be unloaded for the rest of the day and their correction was priority, so I didn't place USDA retain tag. (b) (6) and I immediately notified (b) (6) of the issue, then at which point he contacted (b) (6) who showed up shortly to see the issues. (b) (6) informed me that they will take care of all the issues immediately. I informed her that this is in non-compliance with 9 CFR 313.1(a) which states, Livestock pens, driveways and ramps shall be maintained in good re- pair. They shall be free from sharp or protruding objects which may, in the opinion of the inspector, cause injury or pain to the animals. Loose boards, splintered or broken planking, and un-necessary openings where the head, feet, or legs of an animal may be injured shall be repaired.</p>	CLOSED

# Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 24

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M31561+V31561	Maple Ridge Meats LLC	{2C750B00-E61F-444F-957F-1C2CE3A60692}	PMM1709050620N-1	05/20/2020	04C02	Livestock Humane Handling	313.30(a)(3)	HATS Category VIII - Stunning Effectiveness On May 20, 2020, at approximately 0930 hours while performing humane handling verification activities at Establishment M31561, I (b) (6) observed the following noncompliance. The Establishment moved a market hog into the stun box for stunning with an electric stunner. The plant employee applied the electric stunner to the swine, losing contact wherein the animal began to vocalize. The plant employee took immediate corrective action by reapplying the electrical stunner to the swine, which was effective in causing insensibility. Mr. Greg Hathaway, Plant Owner, was notified of the Noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.30(a)(3).	CLOSED
M31561+V31561	Maple Ridge Meats LLC	{8E9B9D39-7C24-4D80-80DB-D7D16D564190}	PMM3512054806N-1	05/06/2020	04C02	Livestock Humane Handling	313.2	HATS CATEGORY IIIAt approximately 1205 hours on May 6, 2020, the following noncompliance was found. I, (b) (6) entered the offloading / Livestock pen areas and observed one pen containing 4 swine, in which water was not accessible. The water tub was upright and empty. Additionally, I reviewed the establishment's Daily Water and Feed Log and observed the last water check was performed at 10:00am hour. Greg Hathaway, Plant Owner, was notified of the Noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.2(e).	CLOSED



EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M31865+P31865+V31865	Paradise Locker Meats	{28C5E065-2E13-4561-BFFF-3DBA0FF13BE5}	NNI1513060226N-1	06/26/2020	04C02	Livestock Humane Handling	313.15(a)(1)	<p>Today, June 26, at approximately 07:45, I verbally notified (b) (6) and Mr. Louis Fantasma (Plant Manager) at Paradise Locker Meats of my decision to take regulatory control action in the stunning area by tagging the knock box with tag # B31 932840 for improper stunning resulting in an inhumane treatment of the first beef cow of the day inspected slaughter at Establishment # 31865 M. I advised Mr. Fantasma and (b) (6) that I was contacting (b) (6) about the regulatory control action. At approximately 7:45 am on this date I observed (b) (6) attempt to stun the first beef cow of the day using a captive bolt. The captive bolt was placed correctly on the head but when fired the first shot merely grazed across the top of the forehead as the cow moved its' head away, which at this time the beef cow began vocalizing loudly. Then (b) (6) reached for the back up captive bolt and placed it on the cow's head correctly, but when the trigger was pulled the firing pin did not work correctly, causing the shell not to fire. So this caused (b) (6) to have to stop and reload the first captive bolt device again. He then placed it correctly on the forehead of the animal and when fired caused the animal to lose consciousness. I immediately took verbal regulatory control by informing the slaughter manager the noncompliance had occurred for ineffective stunning on the first attempt and a noncompliance would be issued. I discussed with (b) (6) that a NR would be written due to noncompliance with 9CFR 313.15(a)(1) "The captive bolt stunner shall be applied to the livestock in accordance with this section so as to produce immediate unconsciousness in the animals before they are shackled, hoisted, thrown, cast or cut. The animals shall be stunned in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort. The plant has a written animal handling program that has effectively implemented a robust systematic approach to humane handling resulting in the high rate of compliance over the last six months. The event I observed today and recorded above appear to be unintentional random occurrence that resulted in an inhumane handling incident. Your actions to immediately attempt to re-stun the animal is within your written program</p>	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M320M+V320	Smithfield Fresh Meats Corp.	{5ABD041C-AFB1-4DEC-9944-E534DB642811}	VWK5313064905N-1	06/05/2020	04C02	Livestock Humane Handling	313.2	<p>HATS TASK CATEGORY III WATER AND FEED AVAILABILITY On June 5, 2020 at 1000 hours while performing ante-mortem inspection (HATS Task Category IV), I observed a single hog in the designated resale pen with a large belly rupture that had been segregated as per the establishment's Voluntary Segregation Procedure. There were two working water nipples present, but no feed available in the pen. I asked (b) (6), if the hog had received food since it had arrived, and he said it had not. I then spoke with (b) (6), and asked what time the hog had arrived yesterday to verify HATS Task Category III, water and feed availability. (b) (6) confirmed the hog arrived the previous day on a truck that had been unloaded at 0939 hours. It had been more than 24 hours since arrival, and the hog had been provided water but not feed. The establishment immediately provided feed to the hog from the two storage combos in the North Barn. I notified (b) (6) this is a noncompliance with 9 CFR 313.2(e).</p>	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M325	Clausen Meat Company Inc.	{65C17182-71BD-4BF2-9584-8C1D0DF03E54}	FBJ2216 054806N -1	05/06/20 20	04C02	Livestock Humane Handling	313.2	<p>On May 6, 2020, at approximately 0406 hours, I (b) (6) while performing HATS near the holding pens leading to the CO2 chambers, I observed the following non-compliance: Plant employee (b) (6) was loading roasters into the right CO2 holding pen area. Once he finished loading roasters in the holding area, he stepped out of the holding area and started to walk away, with his back towards the holding area of the loaded roasters once the automated sliding door began to close. The automated sliding door was closing and moving more than halfway from the wall right in front of me. A roaster from the kill line ran towards the CO2 holding pen, while the automated sliding door was closing, and got pinned between the door and the cement wall. The automated sliding door is approximately 4 to 4.5 inches in thickness, approximately 3 feet high and pinned the roaster's hip area but its front limbs and head were moving freely. It immediately began to vocalize and continued vocalizing for approximately 3 to 5 seconds and wiggling, while being pinned between the door and cement wall. Employee (b) (6) then turned around and walked back to see what was happening and noticed that a roaster was caught in between the sliding door and cement wall. He looked down at the pinned roaster, then up at USDA. The automated sliding door began to open, the roaster was released and quickly ran towards the CO2 holding pen with the other roasters but had a bright red mark on its left hip area from where the automated sliding door pinned it. I immediately took regulatory control action and placed a U.S Reject Tag# B38098863 on the holding pen area. After searching for (b) (6) I notified him of the following non-compliance. I notified (b) (6), who then contacted the Front Line Supervisor. The holding area was then released at approximately 0415 hours. I notified (b) (6) that a noncompliance would be issued. This is a non-compliance of the regulatory requirements of 9CFR313.2(a) "Driving of livestock from the unloading ramps to the holding pens and from the holding pens to the stunning area shall be done with a minimum of excitement and discomfort to the animals. Livestock shall not be forced to move faster than a normal walking speed.", as this roaster was not handled with a minimum of excitement and discomfort.</p>	CLOSED

## Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 28

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M332	FPL Food	{9A3F6601-DE9 D-42FA-BF54-D1 C5D2A78349}	ACA3207 054726N -1	05/26/20 20	04C02	Livestock Humane Handling	313.2	9CFR 313.2(e) Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed. At approximately 0515 May 26,2020, at M332 FPL Food, LLC, I observed the following noncompliance as I was walking to the FPL Barn office to begin AnteMortem Inspection: The water trough in Pen 23 contained no water. Upon investigation, none of the troughs that I could see contained water. Pens 23-16 and Pens 14-6 contained cattle. I took regulatory control by notifying (b) (6) of the noncompliance; she notified (b) (6) via telephone. No supervisor was on property. Waste Water sent over an employee who turned on the main water switch in the barn and the troughs began to fill. None of the cattle appeared to be dehydrated. No access to water in holding pens is non compliant with 9CFR 313.2(e).	CLOSED
M332	FPL Food	{C2BC6D5C-409 1-4A79-B002-F7 407BF7B21D}	ACA3207 054726N -2	05/26/20 20	04C02	Livestock Humane Handling	313.2	9CFR 313.2(e) Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed. At approximately 0830 May 26,2020 at M332 FPL Food, LLC, I observed the following noncompliance: Cattle were being held in the main holding pen as their truck was being unloaded. There were 38 cattle in the pen. The water trough was empty. This is noncompliant with 9CFR 313.2(e) as they did not have access to water. I immediately notified (b) (6) who was in the barn at the time. He turned the spicket on and the water trough began to fill up. No preventive actions were put forth. This noncompliance is linked to NR ACA3207054726N (05/26/2020) as the same regulation was violated and the animals had no access to water. The 0830 NR indicates that the establishment's corrective actions for the previous NR were not implemented or did not prevent reoccurrence of the same noncompliance. Continued failure to comply with regulatory requirements may result in further regulatory or administrative actions.	CLOSED
M33845+V33 845	Moonlight Meat Processing Inc	{8EFC0130-2843 -4ED6-910E-0D4 1DD3C7EB7}	PPQ1022 062711N -1	06/11/20 20	04C02	Livestock Humane Handling	313.2	On 6/10/2020 at approximately 21:15 eastern time while conducting an odd hours verification of HATS Category III. Water and Feed Availability I (b) (6) observed the following non-compliance. Numerous animals were being housed over night at Moonlight Meat Processing 33845M. One hog was being held in a single pen within the pen there was an small trough that was stood up on end. There was no water observed in the pen that the hog would have access to. This is a non-compliance of 9 CFR 313.2 Handling of Livestock which requires that water be available at all times. Owner Ann Bays was notified of the above non-compliance and advised to make water available to the animal.	CLOSED

# Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 29

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M33860	W Diamond M Meats, LLC	{7722A26D-2454-4050-B4CD-A41560204E9A}	LDD0608052113N-1	05/08/2020	04C02	Livestock Humane Handling	313.2	On 5/8/2020 at approximately 1100 hours while performing the humane handling verification task I observed the following noncompliance. Hogs intended for inspected slaughter had been moved into the north outdoor holding pen, the hogs in that pen had no access to water." This is noncompliance with HATS Category III Water and Feed Availability. This fails to meet 9CFR 313.2 (E) "animals shall have access to water in all holding pens, and if held longer than 24 hours access to feed." Upon my notification, (b) (6) (b) (6) made water available to all animals in an acceptable manner, by opening a previously closed gate to allow the hogs to move between pens." I notified (b) (6) that an NR would be issued.	CLOSED
M34360+P34360	House of Halal Meat, Inc	{31F8D3B8-9C30-409C-AFD1-720A54BD4985}	VUA4209064229N-1	06/29/2020	04C02	Livestock Humane Handling	313.1	On Monday, June 29,2020 at approximately 0900 hours while conducting a routine inspection task, I (b) (6) observed the following non-compliance:* The sheltered holding pens were dirty and had not been cleaned from the previous Friday' use. The pens had dirt, mud and mildewed hay in them. * The Establishment had been previously warned about the need to clean the pens daily, as documented in MOI's.This non-compliance document is to serve as a notice that further regulatory or enforcement actions may be taken in the event corrective actions are not taken.	CLOSED
M34360+P34360	House of Halal Meat, Inc	{E606422F-7F23-4969-9475-B700F4C4EF30}	VUA0009055805N-1	05/05/2020	04C02	Livestock Humane Handling	313.1	On Tuesday, May 5, 2020 at approximately 08:50 A.M while conducting a routine humane handling task, I, (b) (6) (b) (6) observed the following non-compliance: * In the holding pen area, a gate to one of the holding pens had screws extending through it with sharp edges capable of causing injury to animals who would brush against them. Also, on the same gate, there was a rusty sharp edged metal plate at the bottom that could also cause injury to animals who would brush against it. These issues were brought to the attention of Lyle Iqbad, one of the Plant's managers on yesterday. Today, animals were placed in the pen before the needed safety repairs were completed. (b) (6) the younger, was notified of the non-compliance.This non-compliance serves as notification that further regulatory or disciplinary actions may be forth coming in the absence of this issue being resolved.	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M34569+V34569	Ohio Farms Packing Co. Ltd.	{14B3AFBF-AA49-4821-8B08-94DFE1BDA0B4}	DTY3713053529N-1	05/29/2020	04C02	Livestock Humane Handling	313.2	At approximately 1125 hours on May 29, 2020 while performing HATS Category II Truck Unloading, (b) (6) made the observation contained herein. A double decked livestock semi trailer was backed into the loading dock. The bottom deck had been unloaded without incident. While observing unloading of the top deck two bob veal calves were observed to lay down in sternal recumbency at the bottom of the ramp. The establishment employee standing at the top of the truck unloading ramp was observed to drive approximately 6 calves down the ramp and over top of the two bob veal calves that were laying at the bottom of the ramp. The two calves laying at the bottom of the ramp were observed to be stepped on by the other calves and attempted to get up but were unsuccessful in avoiding being stepped on. Once the ambulatory calves were moved away the two calves in sternal recumbency were able to rise on their own and walk to the holding pens. After the observation was made (b) (6) informed (b) (6) about what occurred. This observation is noncompliant with 9 CFR 313.2(a). (b) (6) and (b) (6) were informed that a non compliance record would be issued. Management informed (b) (6) that an establishment employee would be stationed at the end of the truck unloading ramp to monitor for down animals as a corrective action.	OPEN
M34729	White Oak Pastures	{615D3CE3-9FEF-49D4-8876-BD1804A7083E}	ZME3408053411N-1	05/11/2020	04C02	Livestock Humane Handling	313.30 (a)(2)	On Monday May 11th, 2020 at approximately 09:00 AM at White Oak Pastures Establishment 34729, (b) (6) observed a humane handling non-compliance during routine slaughter of pigs. 1 pig was moved into the stunning area/knock box. The employee used electrical current to attempt to render the pig unconscious. The first touch to the pig's top of the head with the electric wand elicited a squeal. The operator failed to minimize excitement in this pig. The operator immediately took corrective action, repositioned the electrical wand, touched the pig's head a second time, made contact, and effectively rendered the pig unconscious. This non-compliance violates regulation 313.30 (a) (2).	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-435

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M34729	White Oak Pastures	{ACEE48D1-3E2A-4755-AF8F-58E57F86A9C9}	ZME3408 053411N -2	05/11/20 20	04C02	Livestock Humane Handling	313.30 (a)(2), 313.30(a)(1)	On Monday May 11th, 2020 at approximately 10:10 AM at White Oak Pastures Establishment 34729, (b) (6) observed a humane handling non-compliance during routine slaughter of pigs. 1 pig was moved into the stunning area/knock box. The employee used electrical current to attempt to render the pig unconscious. The first touch to the pig's top of the head with the electric wand elicited a squeal. The operator failed to minimize excitement in this pig. The operator repositioned the electrical wand and touched the pig's head a second time and the pig squealed again. The operator failed to render the pig unconscious. The operator continued to apply pressure of the electrical prong to the pig's head and rendered the animal unconscious. US Reject Tag # B 26 036532 was placed on the knockbox to stop operations. This non-compliance violates regulations 313.30 (a) (1) and 313.30 (a) (2). Plant management took corrective actions by switching to captive bolt and secondary back-up firearm. Plant management also retrained the stunner in the proper methods of stunning. This information was documented in their humane handling monitoring log. Operations resumed at 11:20 AM.	CLOSED
M39894+P39894+V39894	Al Anam Farms LLC	{57371F0A-42BB-4BC5-B714-CEA7473F4E52}	JLH4409 041809N -1	04/09/20 20	04C02	Livestock Humane Handling	313.15(a)(1)	At approximately 0627 hours, on 04/09/2020, while performing a Livestock Humane Handling verification task, I (b) (6) observed a plant employee drive a small horned black and white steer into the cattle knock box at Est. 39894M. The animal shifted its head in the knock box and attempted to turn around and face the alleyway door. The animal turned its head back away from the alleyway door; however, continued to move its head. Mr. Yahya Stanikzai, Plant Manager, (b) (6) discharged the captive bolt device to the forehead area of the animal at approximately 0635 hours. The animal did not go down. The animal did not vocalize. The animal remained standing and took approximately 1-2 steps backwards. The animal was alert and rhythmically breathing. Approximately 3-5 seconds after the ineffective initial stun, Mr. Stanikzai discharged the backup captive bolt device to the forehead area and knocked the animal a second time. The animal was effectively stunned and rendered unconscious at approximately 0635 hours. I applied U.S. Rejected #B37528676 to the cattle knock box at approximately 0637 hours. At approximately 0645 hours, I observed the forehead area after the head was dropped, there were 2 knock holes on the forehead of the animal. I notified Mr. Stanikzai of the noncompliance at approximately 0724 hours. The findings of these observations were regulatory noncompliance with 9 CFR 313.15(a)(1). This Noncompliance Record (NR) is associated with NR# JLH2014014129N-1 for a similar root cause.	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M39894+P39894+V39894	Al Anam Farms LLC	{8BE1E435-DE6C-4FDE-8A1A-8B16E7117DCA}	JLH1713045621N-1	04/21/2020	04C02	Livestock Humane Handling	313.1	On 04/21/2020, at approximately 0953 hours, while performing a Livestock Humane Handling Verification task, I (b) (6), observed 1 red steer in USDA inspection pen closest to the cattle knock box. The animal was in the rear segment of the pen (furthest from the alleyway) and was visibly fractious. The animal ran into the water bucket, spilling water, causing the animal to slip and physically fall onto its fore limbs with its hind legs still standing. Upon inspection of the pen footing, there were large amounts of feces, mud, and water on the floor of the pen. I took regulatory control action (RCA) and applied U.S. Rejected #B37528682 to the affected inspection pen. I notified Mr. Yahya Stanikzai, Plant Manager (b) (6) of the noncompliance at approximately 0957 hours. The findings of these observations were regulatory noncompliance with 9 CFR 313.1(b). This Noncompliance Record (NR) is associated with NR# JLH2314034617N-1 for a similar root cause.	CLOSED
M4265+P4265+V4265	Locust Grove Farm	{101E9309-2BAF-4128-9139-5C2995AAD80F}	XBA0408060709N-1	06/09/2020	04C02	Livestock Humane Handling	313.16(a)(1)	HATS Category VIII - Stunning Effectiveness On June 9, 2020, at approximately 0900 hours while performing humane handling verification activities at Establishment M4265, I (b) (6) observed the following noncompliance. The Establishment moved a market hog into the stun box for stunning with a 410 shot gun. The plant employee shot the swine, the animal dropped and began to vocalize. The plant employee took immediate corrective action by applying a second shot with the 410 to the swine, which was effective in causing insensibility. Mr. Bill Tripp, Plant Owner, was notified of the Noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.16(a)(1).	CLOSED
M4265+P4265+V4265	Locust Grove Farm	{78A514FB-EB3E-4DB6-B423-7C2EBD8D71A2}	XBA1406041307N-1	04/07/2020	04C02	Livestock Humane Handling	313.2	HATS CATEGORY IIIAt approximately 705AM on April 7, 2020 while performing a routine humane handling task, the following noncompliance was observed. I, (b) (6) observed 5 pens of swine in which water was not present. There was a total of 16 market hogs in the pens. Establishment Kill floor employees were immediately notified verbally and in writing of this noncompliance. Plant employees immediately performed corrective actions by providing accessible water. This is noncompliant with 9 CFR 313.2(e).	CLOSED
M4271+P4271+V4271	GREISE BROTHERS PACKING INC.	{7FF055F4-2EAE-49E0-83A1-1490A3890699}	CZF3007055308N-1	05/06/2020	04C02	Livestock Humane Handling	313.1	HATS Category IV; 9CFR313.1. On 5/6/20, I, (b) (6) at approx. 0800 hours, observed a rusty jagged pipe in the front corner of livestock pen #1. I immediately notified (b) (6), II of the non-compliance. He immediately had the jagged end covered with tape. I rechecked the jagged pipe and confirmed the covering eliminated any hazard to the livestock. All corrective action was taken immediately in my presence (a US Reject tag was not used).	CLOSED



# Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 33

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M44052+P44052	Cal Poly Meats	{5D93DF96-DB24-4422-85EF-011F54146489}	JEC0214042828N-1	04/28/2020	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(b)(1)(iii)	HATS VIII: Stunning Effectiveness. At approximately 9:45pm on 4/28/20 I watched (b) (6) stun one heifer at Cal Poly. The chute has a head catch but it was not used. The first knock was ineffective and the heifer remained standing. (b) (6) had to reload the captive bolt, and wait for the heifer to stop moving, about 20 seconds. The second knock was completely effective and rendered the animal unconscious. Upon sticking, there were 2 holes visible in the head, one of which was above the left eye, and the other in the center of the forehead. This is a noncompliance with 9 CFR 313.15(a)(1), which states: "The captive bolt stunners shall be applied to the livestock in accordance with this section so as to produce immediate unconsciousness in the animals before they are shackled, hoisted, thrown, cast, or cut. The animals shall be stunned in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort." This is also a noncompliance with 9 CFR 313.15(b)(1)(iii), which states "The stunning area shall be so designed and constructed as to limit the free movements of animals sufficiently to allow the operator to locate the stunning blow with a high degree of accuracy."	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M44824+V44 824	Western Meat Processing, Inc.	{180380DC-677D -458B-8ACF-F38 10241BD8F}	XTB3712 064604N -1	06/04/20 20	04C02	Livestock Humane Handling	313.2	<p>HATS IV: Antemortem Inspection-Handling On 6/4/20 at approximately 0655 hours I, (b) (6), walked out of the USDA office and noted the front gate to the property was closed which is unusual. I walked to the south and around the corner of the USDA office and observed several establishment employees gathered at the southwest corner of the property near the fence and just beyond the fence was a black angus cow and two establishment employees. I could see that the cow was unsteady on her feet with knees buckling. As I approached I observed a rope wrapped tightly around the cow's neck and the establishment employee trying to pull the animal to get it closer to a locked gate in the southwest corner of the property. I asked (b) (6), what the planned next step was and she responded that they were awaiting arrival of Fidel Ibarra, plant manager, to unlock the gate to attempt to get the cow back onto the property and to the chute. After 1-2 minutes of struggling to breathe, the cow vocalized and collapsed. One establishment employee started tying the rope around a nearby telephone pole to await the plant manager's arrival. I explained that when the animal regains consciousness, she will get up and struggle further and possibly collapse again. I began to leave the area to call (b) (6), and at that point the QC supervisor advised that they will euthanize the cow. An establishment employee then ran to the knock box to get the HHCB gun. As I conferred with (b) (6), establishment employees euthanized the cow with the hand held captive bolt gun which rendered her unconscious under the supervision of (b) (6). (b) (6) arrived approximately 10 minutes after the cow was euthanized. Upon instruction from (b) (6), I applied Reject Tag B-45005457 to the knock box at 0703 hours and halted all slaughter and processing. After discussion with Alameda District Office, the decision was made to issue a noncompliance. Fidel Ibarra, plant manager, was then notified of the forth coming noncompliance. The above stated observations represent noncompliance with 9 CFR 313.2(a). Failure to comply with 9 CFR may result in further regulatory or administrative actions. At 0940 hours, meaningful corrective actions were submitted and approved. The reject tag was removed and operations resumed.</p>	CLOSED

# Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 35

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M44910+P44 910+V44910	Abattoir Associates Inc.	{2679303D-91F0- 46B6-86A1-4E39 EF99E15B}	JCH5312 042522N -1	04/22/20 20	04C02	Livestock Humane Handling	313.2	HATS Category III Water and Feed Available When Arriving at Establishment 44910, at approximately 1225 hours, on 22, April 2020, livestock holding pens were observed and the following noncompliance was found. One beef animal was being held in the alley with tail gates dropped confining the animal with no availability to water during the establishment's lunch period. None of the employees available had knowledge of the animal being confined in the alley or when the animal was confined. An employee did provide water to the confined animal at approximately 1230. Upon arrival to the establishment (b) (6) was notified of the noncompliance with 9 CFR 313.2(e).	CLOSED
M44910+P44 910+V44910	Abattoir Associates Inc.	{2FCD3256-4B85 -4F79-9857-C0D F3BF9AB9E}	JCH5514 051201N -1	05/01/20 20	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII - Stunning Effectiveness On 1, May 2020, at approximately 1500 hours while performing humane handling verification activities at Establishment 44910, the Slaughter inspector observed and reported the following Noncompliance. The Establishment moved a bovine heifer into the stun box for stunning with a hand-held captive bolt. The heifer was locked into the head gate on the stun box. As the Stunner made the first stunning attempt with the captive bolt, the heifer moved its head. The stunning attempt hit the head as evidenced by both the heifer's sudden movement away from the stunner and a spot on the head where the captive bolt hit, but the heifer remained standing. The stunner took immediate corrective action by re-loading the captive bolt and delivering a second stun, which rendered the heifer insensible. Mr. John Young, Plant Owner, was notified of the Noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.15(a)(1)	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-435

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M44910+P44 910+V44910	Abattoir Associates Inc.	{B3A1F580-3DE4 -4A78-9600-746E A44D3EC8}	JCH4713 055608N -1	05/08/20 20	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII - Stunning Effectiveness On 8, May 2020, at approximately 1245 hours while performing humane handling verification activities at Establishment 44910, the Slaughter inspector observed and reported the following Noncompliance. The Establishment moved a bovine steer into the stun box for stunning with a hand-held captive bolt. The steer was locked into the head gate on the stun box. As the Stunner made the first stunning attempt with the captive bolt, the steer moved its head. The stunning attempt hit the head as evidenced by both the steer's sudden movement away from the stunner and falling to the floor but standing immediately with a spot on the head where the captive bolt hit and remained standing. The stunner took immediate corrective action by re-loading the captive bolt and delivering a second stun, which rendered the steer insensible. Mr. John Young, Plant Owner, was notified of the Noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.15(a)(1). This noncompliance will be linked to the previous noncompliance for stunning which occurred on 1, May 2020, noncompliance record JCH5514051201N which no corrective actions have been taken, recorded, or implemented.	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M44910+P44 910+V44910	Abattoir Associates Inc.	{D8B4A645-28E1 -4CC3-9CBD-5E B60DD16CA3}	JCH2615 063719N -1	06/19/20 20	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII - Stunning Effectiveness On 19, June 2020, at approximately 0845 hours while performing humane handling verification activities at Establishment 44910, the Slaughter inspector observed and reported the following Noncompliance. The Establishment moved a bovine steer into the stun box for stunning with a hand-held captive bolt. The steer was not locked into the head gate and would not enter the head restraint on the stun box. The Stunner made the first stunning attempt with the captive bolt. The stunning attempt hit the head as evidenced by both the steer's sudden movement away from the stunner but remained standing with a spot on the head where the captive bolt hit. The stunner took immediate corrective action by re-loading the captive bolt and delivering a second stun, which rendered the steer insensible. On 19, June 2020, at approximately 1100 hours while performing humane handling verification activities at Establishment 44910, the Slaughter inspector observed and reported the following Noncompliance. The Establishment moved a bovine steer into the stun box for stunning with a hand-held captive bolt. The steer was locked into the head gate on the stun box. As the Stunner made the first stunning attempt with the captive bolt, the steer moved its head. The stunning attempt hit the head as evidenced by both the steer's sudden movement away from the stunner but remained standing and vocalizing with a spot on the head where the captive bolt hit. The stunner took immediate corrective action by re-loading the captive bolt and delivering a second stun, which rendered the steer insensible. On 19, June 2020, at approximately 1150 hours while performing humane handling verification activities at Establishment 44910, the Slaughter inspector observed and reported the following Noncompliance. The Establishment moved a bovine Heifer into the stun box for stunning with a hand-held captive bolt. The Heifer was locked into the head gate on the stun box. As the Stunner made the first stunning attempt with the captive bolt, the Heifer moved its head. The stunning attempt hit the head as evidenced by both the Heifer's sudden movement away from the stunner but remained standing with a spot on the head where the captive bolt hit. The stunner took immediate corrective action by re-loading the captive bolt and delivering a second stun, which rendered the steer insensible. Mr. John Young, Plant Owner, was notified of the Noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.15(a)(1).	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-435

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M44950+P44950+V44950	Schrader Farms Meat Market	{18D3CB7B-FDA F-456C-8A97-43 223672B92C}	JKL5010 064622N -1	06/22/2020	04C02	Livestock Humane Handling	313.2	HAT category III water and feed availabilityAt approximately 11:34 a.m. while inspecting the holding pens, I observed two pens containing animals with no access to water. One pen had 3 lambs, and the other pen had 4 swine. Establishment manager was notified of the noncompliance, and the establishment was immediately brought back into compliance.	CLOSED
M45099+P45099+V45099	Responsible Transportation LLC	{BA635B14-8D24 -4C91-A703-8B4 CE0CF0A6D}	VOT4007 044621N -1	04/21/2020	04C02	Livestock Humane Handling	313.2	At approximately 0636 hours on 04/21/2020 while performing ante-mortem(HATS Category IV)/humane handling inspection in the barn at M45099 I, (b) (6) observed the following deficiencies leading me to document a non-compliance record with HATS Category III (Water and Feed availability). I noticed that the automatic watering devices in pens 1, 2a and 2b were empty. Cattle were present in all pens; 3 head in pen 1, 14 head in pen 2a, and 8 head in pen 2b. All animals appeared healthy with no signs of distress. I requested antemortem inspection be discontinued and (b) (6) was notified of the water non-compliance and forthcoming non-compliance record. He promptly returned the watering devices to working order, and once the tanks were filled, I continued with antemortem inspection.	CLOSED
M45377+P45377+V45377	3D Meats, LLC	{0C355DF2-36B6 -4AC8-866F-03A 2D8E957AA}	VSB5507 055713N -1	05/12/2020	04C02	Livestock Humane Handling	313.2	At 6:18 pm on May 12, 2020, (b) (6) conducted an odd hours inspection of the barn at 3D Meats. Livestock was housed in 7 different animal stalls. There were 2 ambulatory lambs in a stall adjacent to the aluminum sliding door that is used frequently to unload livestock for the establishment at 3D Meats. The stall in the back of the 2 lambs contained the stall for the three ambulatory black cattle. The 2 lambs and the 3 black cattle did not have access to water.This document serves as a notice of the establishment failure to comply with 9 CFR 313.2.	CLOSED

# Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 39

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M45572+P45572	Ozark Meats Inc	{EC99E7BD-E35B-4813-BC8D-E1974E19EA04}	LJF1715060905N-1	06/05/2020	04C02	Livestock Humane Handling	313.1	On this date at approximately 09:10 while performing ante-mortem inspection verification, the following deficiencies wer observed. The establishment has secured a temporary panel gate to a deficient gate in the alleyway. The establishment secured the temporary gate to the permanent gate with 4" U-Bolts. One of the U-Bolts was protruding into the alleyway approximately 3" leaving a sharp protruding object approximately 3.5' from the floor. The protruding U-Bolt was able to possibly cause undo harm to livestock. During my observation, I observed black hair on the top threaded bolt. I did not notice any obvious signs of contact with the threaded bolt on any of the four-beef presented for inspection. In addition, during my observation I noticed a section of recessed floor drain was missing leaving a section of the trough drain exposed approximately 6" wide and 3' in length possibly causing undo harm to animals being held. (b) (6) and (b) (6) were notified of the noncompliance. The establishment is noncompliant with 9 CFR 313.1(a) & (b).	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M45608+P45608	Pure Country Harvest LLC	{FEA7F762-CAD E-4FB8-AB98-F7 648E28CECC}	FIL24110 62810N-1	06/09/2020	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII: Stunning Effectiveness On 6/9/2020 at approximately 1515 hours, I, (b) (6), (b) (6) observed a non-ambulatory market swine gilt at Pure Country Harvest LLC, M45608. The gilt was lying on her right side. The gilt was unable to roll into a sternal position without assistance and unable to remain in a sternal position. The gilt became non-ambulatory after ante-mortem inspection was completed earlier in the day during which time the gilt was able to ambulate. I notified Mr. Tom Ellestad, the plant manager, about the gilt becoming non-ambulatory. Because the gilt could not rise to her feet or ambulate, Mr. Ellestad verbally told me he would euthanize the gilt by penetrating captive bolt in the holding pen. Mr. Ellestad brought an assistant, (b) (6), (b) (6) and two loaded hand-held captive bolt devices to the holding pen. At approximately 1539 hours, Mr. Ellestad administered the first stun attempt with the hand held captive bolt device to the gilt. The stun did not render the gilt unconscious. The gilt squealed and stood up. The stun operator promptly retrieved the back-up hand-held captive bolt device and applied a second stun with no noticeable effect. The gilt did not vocalize this time but remained standing with rhythmic breathing. The hand-held captive bolt device was quickly reloaded and a third stun attempt applied in a more caudal position on the skull. The gilt was immediately rendered insensible. A regulatory control action was not taken. I verbally notified establishment management that the incident would be documented in writing. On inspection of the head, three penetrating stun holes were observed. The establishment does have a robust humane handling program, which is being implemented as written. There have not been any noncompliance records for the same root cause issued within the past 90 days. The Denver District Office and the District Veterinary Medical Specialist were not notified at the time of the event.	CLOSED
M45729+P45729+V45729	Westcliffe Meats	{AF57356C-989F -4478-A0C5-949 D55B6A582}	UGM181 1052612 N-1	05/12/2020	04C02	Livestock Humane Handling	313.1, 313.2	HATS-Category III-Water and Feed Availability I observed the cow being unloaded at 0825 hours on May 12, 2020. I did not find the cow to be in distress; however, there was no access to water. A regulatory control action was not taken due to the immediate corrective action of placing water into the pen. This noncompliance will be associated with the previous noncompliance #UMG2909121305NN written on December 5, 2019 for the same incidence. The establishment corrective actions have been ineffective in preventing repeated noncompliances according to establishment responses: 1. Noncompliance written on 10-24-19 (immediately gave water). 2. Noncompliance written on 12-5-19 (will check more frequently). I verbally notified Ms. Detweiler (plant manager) of the noncompliance.	CLOSED



EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M45853+P45853	Macelleria DeMaria LLC	{701DBECB-4FFE-4541-B310-01EE73CE1F31}	EGQ1512065611N-1	06/11/2020	04C02	Livestock Humane Handling	313.16(a)(1)	HATS Category: VIII Stunning Effectiveness On June 11, 2020, at approximately 0955 hours while performing humane handling verification activities IPP observed the following noncompliance: The establishment loaded a bovine steer into the stun box in the slaughter room, and were using a .22 caliber rifle to stun the animal. IPP observed that the steer was still sensible standing in the stun box swinging head around but not showing any other signs of discomfort. The employee took immediate corrective action and discharged the second shot into the head of the steer, which was effective in rendering the animal insensible as it fell to the floor in the stun box. US Reject Tag# B43043253 was applied to the stun box and IPP notified Pedro the plant manager of the humane handling noncompliance. When IPP examined the head of the steer she spotted the two bullet holes. The 1st hole was about 2 to 3 inches below the target area. The 2nd shot was directly in target area. This observation combined with what the IPP seen has confirmed that the first shot attempt wasn't effective in rendering the animal unconscious. The establishment failed to comply to the regulatory requirements of 9 CFR 313.16(a)(1), which could result in additional regulatory or administrative action	CLOSED
M45928+P45928	Central Missouri Meat & Sausage	{5D7EC880-94FB-49C9-A7B7-E8F4FEA48E5C}	CRN5214051514N-1	05/14/2020	04C02	Livestock Humane Handling	313.1	HATS Category IV Ante-Mortem Inspection On 5/15/2020 at approximately 1230 hours I (b) (6) and (b) (6) observed the following noncompliance: There is a drain in the antemortem pen. We observed a large amount of bloody water backing up from this drain when the hose was being utilized in the slaughter area. There were several hogs still in the antemortem pens and they had been held overnight. There were areas of pooled liquid (water, blood, waste) on the floor. The flooring is concrete. These conditions create an environment in which the hogs can easily slip/fall. No slips or falls were observed at the time. The drain did not have an adequate cover on it either which is a trip hazard. There was a large hose piled up in the corner of the pen. Hogs were laying on the hose and had the potential to get their legs caught in it. I did observe the hose wrapped around one of the hogs legs but when the hog stood up, the hose fell to the ground. Mr. Cory Hawkins (Plant Owner) was notified of the noncompliance. The establishment has failed to comply with 9 CFR 313.1(b). Slaughter operations ceased until sanitary conditions were restored and trip hazards were eliminated. I remained in the area until measures were implemented to correct the deficiencies and the area was released at approximately 1300 hours.	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M4593	Greenbrier Meat Company, Inc.	{8D3539B9-CFD1-4EBA-BF21-70B2CB23A3FE}	XQC2507041214N-1	04/14/2020	04C02	Livestock Humane Handling	313.16(a)(1)	On 4/14/20 at approximately 7:45 a.m. while inspecting slaughter operations, the following humane handling incident was observed. On the second beef of the day, the first stun attempt did not render the animal unconscious. (b) (6), the person responsible for stunning, immediately fired a second shot which was successful in rendering the animal unconscious. (b) (6) was using a 22magnum rifle that appeared to be in good working order and no problems were noted prior to his incident. I immediately notified (b) (6) of the noncompliance.	CLOSED
M45948	Ida-Beef LLC	{4A469654-7FA3-45A2-B9B1-1DC877DE37C8}	AKL3307050927N-1	05/26/2020	04C02	Livestock Humane Handling	313.2	HATS Category III – Water and Feed On May 26, 2020 at approximately 10:00 AM I, (b) (6), noticed that the watering trough shared by pens 3 and 4 was empty and there was no evidence of water. There are 4 dairy cows in pen 4 with the gate opened to allow the cattle to have access to part of the alley adjacent to pen 3. The trough between pens 3 and 4 is the only source of water for the 4 cattle. I immediately notified (b) (6) (b) (6), that the cattle in pen 4 did not have water access and that the trough was empty. I also informed him that this is a noncompliance with 9 CFR 313.2(e) and will be documented in a NR. (b) (6) started filling the empty watering trough immediately and all 4 cattle went to the trough to drink water. Upon review of non-compliances issued in the last 90 days, this NR will be associated with NR AKL3710041327N issued on April 25, 2020. Both NRs were a result of cattle not having access to water per 9 CFR 313.2(e).	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M45948	Ida-Beef LLC	{B167EBDC-C38 5-4E2E-B139-97 22F48D6C36}	AKL3710 041327N -1	04/25/20 20	04C02	Livestock Humane Handling	313.2	HATS Category III – Water and Feed Availability At approximately at 0625 hours, on 4/25/20, I, (b) (6), noticed a Semi truck loaded with cattle parked on the north side of the building as I was driving onto the official establishment premises. At approximately 0630 hours, I, (b) (6) proceeded to find the (b) (6) (b) (6) to find out how long the truck had been parked on the north side of the building on official premise. (b) (6) told (b) (6) that he did not know how long the truck had been parked there. (b) (6) and I proceeded to the yard's pens, when I noticed the Semi truck coming around the building and backing up onto the unloading chute. (b) (6) (b) (6) and I were told by the truck driver that he was waiting on the side of the building since approximately 0500 hours. I, (b) (6), proceeded to call (b) (6) (b) (6) by phone, for correlation. I, (b) (6), observed the cattle being unloaded from the truck at approximately 0705 hours. The 39 head of cattle were being unloaded directly into the Canadian holding pens marked 7 and 8. I, (b) (6) observed approximately eight cows proceeding to the water trough and drinking water. A copy of this noncompliance was provided to the Denver District Veterinary Medical Specialist. QC/Plant Manager, Roger Dillon, was notified by (b) (6) a non-compliance record would be issued.	CLOSED
M45948	Ida-Beef LLC	{CB309B3D-F0D 0-43D1-90EA-F1 F9FEB6BB84}	AKL4016 064123N -1	06/19/20 20	04C02	Livestock Humane Handling	313.2	HATS Category III – Water and Feed On June 19, 2020, at approximately 3:20 PM, I, (b) (6), observed 46 head of cattle that did not receive feed within 24 hours. Cattle from (b) (4) lots all arrived on 6/18/20 at 12:00 pm, 1:30 pm, and 12:00 pm respectively. The two lots from (b) (6) arrived at two separate times on 6/18/20, 20 head at 12:00 pm and 8 head at 1:30 pm, however, the lots were comingled at the time of arrival of the second lot, and distinction of the cattle that were representative of each lot was impossible. The three lots observed were not slaughtered within 24 hours of arriving at the establishment and there was no evidence of the establishment providing feed per 9 CFR 313.2(e). I verbally notified Roger Dillon, QC Manager, that a noncompliance record would be issued. There has not been an NR issued for the same root cause in the last 90 days.	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-435

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M45948	Ida-Beef LLC	{E0C32112-B275-4114-AC3B-49865263071F}	AKL5211065412N-1	06/11/2020	04C02	Livestock Humane Handling	313.2	<p>HATS Category IV – Antemortem Inspection HATS Category V – Suspect and Disabled</p> <p>On June 11, 2020, at approximately 07:30 am while performing antemortem, I, (b) (6) observed a non-ambulatory disabled cow trampled by another cow in the pen, as the ambulatory cow walked over the neck of the non-ambulatory cow. The non-ambulatory disabled cow was in sternal recumbency in front of the south gate of Pen 3. Cow with ear tag #6769 stepped on the head/neck of the non-ambulatory cow, as the non-ambulatory cow was blocking the exit of the pen. QC Manager, Roger Dillon, also observed the event and told the yard's employee that he knows better and to make sure that the non-ambulatory cow is protected first and foremost. The non-ambulatory disabled cow did not appear to be in distress or vocalize and there was no indication of a sustained injury to the cow from this incident. I verbally notified Roger Dillon, of the noncompliance with 9 CFR 313.2(d)(1) and that it will be documented in a NR. I observed the ambulatory cattle immediately segregated after the event and the non-ambulatory cow immediately rendered unconscious after the first stun. There have been no noncompliance records issued for the same root cause in the past 90 days.</p>	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M46017	ZMDR DBA Republic Foods	{3064AFD9-0590 -4EFA-BDDB-52 8A47A9F58A}	SDY1010 061311N -1	06/11/20 20	04C02	Livestock Humane Handling	313.1, 313.15(a)(1), 313.2	<p>Today at approximately 0930 hours while performing a Livestock Humane Handling Verification Task, I observed the following noncompliance. I saw that an animal had turned around at the start of the drive alley as it enters the building and an employee was up on the fence trying to turn the cow around. Upon further observation, although the drive alley was filled with liquid manure/water mixture above the level of the grates, I observed there were at least 2 grate sections that normally cover an approximate 9 inch deep gutter were flipped up and could allow an animal to slip down into the pit/gutter below. There were 2 other grates that were bent with protruding metal sticking up into the drive alleyway. I immediately notified plant management that I was rejecting the drive alleyway until repairs were made and applied U.S. Rejected Tag#B28649949 to the drive alleyway where it enters the building. When I returned to the area, the 2 missing grates had been replaced but there was an approximate 5 inch gap which could still allow an animal's foot to slip down into the gutter and become injured. The animals in the drive alleyway past the problem area were allowed to be knocked and continue onto the slaughter floor. At approximately 1050 hours, I was notified that the areas had been repaired and I went to the drive alleyway and observed the gutter/pit had the liquid and manure pumped down and the grates covering this pit had been replaced with no gaps large enough for an animals hoof to slip through and become entrapped. I removed the U.S. Rejected Tag at this time. This noncompliance represents a failure to meet the regulatory requirements of 9 CFR 313.1 and 9 CFR 313.2. HATS Category VIII - Stunning Effectiveness Today at approximately 1215 hours, I was notified by (b) (6) that a cow (which had previously passed antemortem inspection) had gone down in the drive alley prior to the knock box and he was unable to get the animal to stand back up. This animal was lame in the right front leg and the employee had taken the precaution to segregate and isolate the animal and drove it up the alleyway by itself. I went with him and observed the cow laying in the alley by itself and the employee attempted to get the cow back up but the animal would not stand. At this time, I notified him that I was going to condemn the animal on antemortem so the employee went into the alleyway to knock the animal with a hand-held captive bolt device. The animal was alert and shaking it's head but the employee was able to apply an on-target stun shot to the forehead of the animal, however the animal did not become unconscious with the first shot. The animal stood up and started moving forward in the alleyway toward the employee. There was blood coming from the nostrils of the animal. The cow continued to walk up the alley into the knock chute and it was rendered unconscious with a second shot. This noncompliance represents a failure to meet the regulatory requirements of 9 CFR 313.15(a)(1).</p>	OPEN

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
								A review of recent NR's did not show a similar cause NR that will be linked to this NR. Plant Manager Jorge Correa and (b) (6) were notified of these noncompliances.	
M46017	ZMDR DBA Republic Foods	{6480C5B3-9C75 -4AAF-835C-BE8 AB06D123A}	SDY4406 063217N -1	06/16/20 20	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII-Stunning EffectivenessAt approximately 1320 hours on June 16, 2020, I was notified by (b) (6) that an animal had gone down in the drive alleyway to the knocking box. I immediately went to the area with him and observed several establishment employees by the drive alleyway and I observed a cow standing in the alleyway and the employees stated the animal had stood up. The cow was alone in the drive alleyway and although it was weak in the rear end, it's eyes were bright and alert the decision was made to allow her to continue to the knock box. At this time, (b) (6), (b) (6) climbed into the alleyway behind the cow and the animal walked forward around the corner toward the knock box but again went down in the third compartment of the knock box. The animal was unable to rise again on her back legs so the decision was made to apply a stun shot to the animal and antemortem condemn. The animal was standing up in the front end with her back legs behind her. The slide gates were open to the front of her and she was located about midway between the second and third compartment of the knock box. The primary stun operator used a hand held captive bolt device by leaning down over the side of the siderails and applied it to the poll of the cow's head but the animal moved it's head at the last second making the shot off target and the first attempt failed to render the animal unconscious with a single shot. A second shot was made with the hand held captive bolt device to the forehead and after this shot the animal was rendered immediately unconscious. (b) (6) (b) (6) was in the area and was notified that a NR would be issued. This noncompliance represents a failure to meet the regulatory requirements of 9 CFR 313.15(a)(1). This NR is being linked to NR#SDY1010061311N-1 documented on June 12, 2020 for a similar cause and will be discussed in the next weekly meeting.</p>	OPEN

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M46017	ZMDR DBA Republic Foods	{6FED22E5-754 C-4D95-92C0-6E 6C05B9A255}	SDY4514 052016N -1	05/16/20 20	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS Category VIII - Stunning Effectiveness Today at approximately 1255 hours while observing stun operator, I observed the following noncompliance. The employee attempted to knock a cow with the compressed air captive bolt device and on his first attempt it did not appear to contact the animal's skull. The employee used the compressed air captive bolt device on a second attempt and it did make contact but the cow did not lose consciousness and continued to stand, breath normally and was blinking it's eyes. The employee then immediately used a hand held captive bolt device that was standing at the ready and the animal was rendered immediately unconscious. I notified (b) (6) of this stun deficiency and that a NR would be written. The employee performing the stunning at this time was not the primary or secondary stun operator. I discussed the deficiency with Plant owner Jeremy Robinson and the decision was made to have the employee use the hand held captive bolt instead of the compressed air device going forward. I remained in the area and continued to observe stunning. At approximately 1322 hours, I observed the same employee attempt to knock a cow with a hand held captive bolt device and the animal was not rendered immediately unconscious with the first attempt as the animal was still standing, blinking and breathing normally with blood coming from the nostrils. The employee then used a second hand held captive bolt device that was standing at the ready and it appeared this shot was a misfire and the bolt did not make contact with the skull. The plant owner, Jeremy Robinson, was in the area and had reloaded the first hand held captive bolt device and the plant employee used this device to the skull of the animal and this time the cow was rendered immediately unconscious. I notified Jeremy Robinson at this time that this deficiency would be included in the NR that was being written and I cautioned him that this employee did not appear to be proficient and any further incidents could result in U.S. Rejected tag being applied to the knock box and an immediate suspension of operations. Plant management decided to have the primary stun operator return to the knock/stun duties and after this there were no further similar observations. This noncompliance represents a failure to meet the regulatory requirements of 9 CFR 313.15(a)(1). A similar NR# SDY3811054915N was documented on 5-15-2020 and is being linked to this NR for similar cause. The linkage of these NR's will be discussed in the next weekly meeting.</p>	OPEN

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M46017	ZMDR DBA Republic Foods	{DF86DD08-FEAB-4D86-9C3F-978BF7138273}	SDY3811054915N-1	05/15/2020	04C02	Livestock Humane Handling	313.16(a)(1)	HATS Category VIII – Stunning Effectiveness On 5-15-2020 while performing a Directed Humane Handling Task for verification plan, I, (b) (6), observed the following noncompliance. At approximately 0735 hours, I observed a stun failure on a mature bull in the knocking area. An establishment employee shot a mature bull in the head with a 12 gauge shotgun and the bull continued to stand, was alert and continued to breathe normally. The employee quickly reloaded the shotgun and applied a second shot which produced immediate unconsciousness. I notified (b) (6) that I would be documenting this incident in a NR. This deficiency represents a failure to meet the regulatory requirements of 9 CFR 313.16(a)(1). A review of recent NR's did not reveal any similar NR's that will be linked with this NR.	OPEN
M46184	Steve & Laura, LLC	{075FCFEF-9284-42C5-8EE2-E7BD61890E23}	IIS3213050418N-1	05/18/2020	04C02	Livestock Humane Handling	313.16(a)(1)	On May 18th, 2020 at approximately 0908, I, (b) (6) was observing knocking at M46184 (HATS Category VII). While an establishment employee was attempting to render a steer unconscious in the knock box, the animal was hit with a 22-magnum rifle round. After hearing the gunshot, I observed that the steer was still standing and conscious. The employee then shot the rifle again immediately. The steer fell, without vocalization, and no eye tracking was present. A safety shot was administered. Once the knocking area was safe, I saw the head of the steer with 3 bullet holes in the skull. The first shot was far right of the correct knocking position with an angle outward from the brain. The second shot was placed in the correct area for a dairy steer. I informed (b) (6) and (b) (6) of the noncompliance. This NR is issued for the noncompliance with 9 CFR 313.16(a)(1).	CLOSED
M46184	Steve & Laura, LLC	{D4B865E7-A8E5-4C03-A321-10D8EFACD2AC}	IIS1514062625N-1	06/25/2020	04C02	Livestock Humane Handling	313.16(a)(1)	On June 25th, 2020 at approximately 0708, I, (b) (6) was observing knocking at M46184 (HATS Category VIII). While an establishment employee was attempting to render a heifer unconscious in the knock box, the animal was hit with a 22-magnum rifle round. After hearing the gunshot, I observed that the heifer was still standing and conscious. The employee then shot the rifle again immediately. The animal fell with no vocalization or eye tracking present. Once the knocking area was safe, I saw the head of the beef animal with 2 bullet holes in the skull. The first shot was far right of the correct knocking position with an angle outward from the brain. The second shot was placed in the correct area for a beef animal. This NR is linked to record IIS3213050418N issued May 18th, 2020 for failure to render a steer insensible on the first stunning attempt with a firearm. (b) (6) and (b) (6) were made aware of the noncompliance. This NR is issued for the noncompliance of 9 CFR 313.16(a)(1).	CLOSED



EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M46200+P46200	Caledonia Packing LLC	{26357336-3B5A-4BAB-AD03-88276318EB42}	BYO2711055928N-1	05/27/2020	04C02	Livestock Humane Handling	313.16(a)(1)	On May 27th, 2020 at approximately 12:45 PM in establishment M46200, the CSI was completing the HATS category VII task for stunning efficiency. The CSI heard a gunshot to render a sow unconscious. After the shot the animal immediately vocalized. The knocker then tried to remove the animal from the knock box. After the animal would not roll out of the knock box the employee went to use the electrical stunner to facilitate the animal to roll. The employee saw the animal's head was up and used the electrical stunner, with correct placement, to stun the animal. The animal vocalized and went rigid. After the animal was effectively stunned using the electrical stunning device, the door to the knock box was opened, the animal unconsciously rolled out and was bled out. Retain tag B38093520 was placed until the incident was evaluated and immediate corrective actions could be confirmed. This is in noncompliance with 9 CFR 313.16(a)(1).	CLOSED
M46351	Meatworks	{6DF2EFA6-3D5D-4AA0-BA1B-9355645DC544}	KJR4714053929N-1	05/29/2020	04C02	Livestock Humane Handling	313.1	HATS Category I On 05/29/20, at approximately 08:30 hours while performing the water and feed availability humane handling verification activity at Establishment M46351, the following Noncompliance was observed: The Establishment had 1 steer in a pen with an unnecessarily large opening between the gate and the fence of the pen. The opening measured ~3 inches wide and was ~5 ft off the ground. At approximately 08:30 hours, IPP observed that the Steer's front leg was stuck in the opening and the Steer's head and body were on the ground. The Steer struggled to free itself and was unsuccessful. The slaughter supervisor took immediate corrective action by opening the gate using a crowbar, which freed the Steer. Veterinary inspection of the live Steer revealed a swollen carpal joint. The plant manager was notified of the Noncompliance and the failure to adhere to the regulatory requirements 9 CFR 313.1(a).	CLOSED
M46351	Meatworks	{83531800-EEAD-4503-85FF-CC199F76895B}	KJR1712040509N-1	04/09/2020	04C02	Livestock Humane Handling		HATS Category VIII - Stunning Effectiveness On 04/09/2020, at approximately 0945 hours while performing humane handling verification activities at Establishment M46351, the following Noncompliance was observed: The Establishment moved a beef cow into the stun box for stunning with a handheld captive bolt. The beef cow was standing freely in the stun box. The Stunner made the first stunning attempt with the captive bolt and delivered an unsuccessful discharge of the captive bolt. The stunning attempt hit the head as evidenced by both a spot on the head where the captive bolt was discharged and IPP hearing the captive bolt fire, but the beef cow remained standing and moved its head back. The stunner took immediate corrective action by re-loading the captive bolt and delivering a second stun, which rendered the beef cow insensible. The Plant Manager was notified of the Noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.15(a)(1)."	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M46351	Meatworks	{9A9D345A-B188-4AC4-A64F-91BC3CFC311D}	KJR2614 064215N -1	06/15/20 20	04C02	Livestock Humane Handling	313.1, 313.2	HATS Category VII On 06/15/20, at approximately 11:30 hours while performing the observation for slips and falls humane handling verification activity at Establishment M46351, the following Noncompliance was observed: The Establishment had 1 steer loaded into the "knock box" facing the Stunner. The head restraint was lowered, and the steer pulled its head away, which caused the restraint to miss the Steer's head. The Steer jumped and moved inside the 6ft by 26 inch "knock box", which caused the head to become stuck in the top of the side opposite the Stunner. The head was stuck and the Stunner administered a successful captive bolt stun followed by an additional "security knock". IPP observed that the Steer's head was stuck, and the weight of the Steer's body was pulling on the head. The "knock box" was fixed with US Rejected Tag NO B37552457. The Plant Manager was notified of the Noncompliance and the failure to adhere to the regulatory requirements 9 CFR 313.1(b), 9 CFR 313.1(d), and 9 CFR 313.2(a).	CLOSED
M46351	Meatworks	{F999AE65-BB52-4A41-AC3B-A31F113B521E}	KJR1813 054825N -1	05/25/20 20	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII - Stunning Effectiveness On 05/25/2020, at approximately 1350 hours while performing humane handling verification activities at Establishment M46351, the following Noncompliance was observed: The Establishment moved a steer into the stun box for stunning with a handheld captive bolt. The steer was standing freely in the stun box. The Stunner made the first stunning attempt with the captive bolt and delivered an unsuccessful discharge of the captive bolt. The stunning attempt hit the head as evidenced by both a spot on the head where the captive bolt was discharged and IPP hearing the captive bolt fire, but the steer remained standing and its eyes were blinking naturally. The steer vocalized and moved its head from side to side. The Stunner took immediate corrective action by delivering a second stun with a second handheld captive bolt, which rendered the steer insensible. The Plant Manager was notified of the Noncompliance and the Establishment's failure to adhere to the regulatory requirements of 9 CFR 313.15(a)(1).	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M46433	SeraTec Inc.	{46BB1972-8B46-4F5C-AB5F-3D441B34862D}	VGF0717 041928N -1	04/24/20 20	04C02	Livestock Humane Handling	313.1, 313.2	HATS Category II Truck Unloading & Category IV Ante-mortem Inspection On April 24, 2020 at approximately 0935 hours, I, (b) (6), was asked by an establishment driver to conduct ante-mortem inspection on calves on a transportation vehicle prior to unloading. The pickup truck was backed up to the unloading area approximately three feet from the closed roll-up garage door leading to the holding pens. I stood at the back corner of the vehicle on the driver's side to conduct inspection. The driver opened the latch of the pickup truck cap and entered the truck bed to stimulate the calves to stand for ante-mortem. The driver moved forward in the bed of the truck and a calf moved behind him. The calf fell out of the partially open doors to the ground. The drop was approximately two feet. The calf did not vocalize and did not show signs of distress. The calf laid on the ground until the driver got out of the truck bed, picked the calf up, and put the calf back inside the truck. The calf stood in the back of the truck and did not appear injured. At this time, the establishment employee who performs stunning came out of the building to assist with ante-mortem inspection and unloading. The driver re-entered the truck bed. The driver used tactile stimulation to encourage the calves to stand for inspection. The two employees then unloaded the calves into the establishment holding pens with no further incidences. After the employees finished unloading the calves, I notified plant manager MacKensey Priest of my observations. I notified (b) (6) of the incident. (b) (6) informed Ms. Priest that the establishment would receive a noncompliance. A copy of this noncompliance was provided to the Denver District Veterinary Medical Specialist. There have not been any noncompliance's of the same root cause issued within the past 90 days.	CLOSED
M46498+P46498	Westminster Meat Packing Inc.	{039C42E5-A808-423D-B1CD-5C7E7E6B24E0}	YKB3811 053421N -1	05/21/20 20	04C02	Livestock Humane Handling	313.2	HATS Category III, Water & Feed Availability May 21, 2020, 9:30am On 5-21-20 at approximately 9:30 am (b) (6) and I observed that the 2 bob veal in pen #1 at Westminster Meats did not have water available. It is the responsibility of the establishment to maintain a constant supply of water to livestock that are present at Westminster Meats. This is in accordance to CFR 313.2(e). This non compliance is linked to YKB1709050418N that (b) (6) wrote on 5-18-20 pertaining to the water supply source that was non functioning in 2 separate pens.	CLOSED
M46498+P46498	Westminster Meat Packing Inc.	{56A30041-9F06-40FA-8249-8ADCA035607E}	YKB1709 050418N -1	05/18/20 20	04C02	Livestock Humane Handling	313.2	HATS Category III Water Availability On 18 May 2020 at approximately 0915, while doing a routine pen check, it was noticed that the automatic waterer for pens 5&6 had no water. These pens had one beef in pen 5 and multiple beef in pen 6. Plant management was notified and went down to the basement to turn the water back on. This corrected the problem.	CLOSED

# Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 52

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M46498+P46498	Westminster Meat Packing Inc.	{C1123E4A-AEC9-4673-971F-BB B79DAE8D5E}	YKB4507045907N-1	04/07/2020	04C02	Livestock Humane Handling	313.2	HATS Category III Water and Feed availabilityApril 7, 2020, 7:50amOn 04/07/20 at approximately 07:50 AM Westminster received 14 bob veal. The veal was unloaded into the corridor next to the chute. The establishment provided red totes containing water, however the bob veal could not access the water without the aid of nipples. This is a non-compliance with 9 CFR 313.2(e). (b) (6) was verbally informed of the non-compliance and in writing with this document. Humane handling, specifically water availability for bob veal was discussed with the establishment and documented in MOI YKB4208043601G on 04/01/20.	CLOSED
M46526+P46526	Cornell University Department of Animal Science	{3536F02B-BF7F-40F5-952F-78F9 CCFB3D4D}	KFZ2210061804N-1	06/04/2020	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category #8 - Stunning EffectivenessOn Thursday, June 4th, at approximately 1115hrs., the following was observed:Jessica Waltemyer (plant manager (b) (6) (b) (6) was in the stunning area using a captive bolt device to stun sheep, and the first attempt failed. It was not clear what happened with the instrument, but there was a small amount of blood on the sheep's head, near its ear. Jessica immediately took the captive bolt and tested it to make sure the second attempt on the animal would be effective in rendering it unconscious. A second attempt was then made and the instrument worked, causing immediate unconsciousness in the animal. The above non-compliance is in violation of the following regulation:9 CFR 313.15(a)(1)Application of stunners, required effect; handling. (1) The captive bolt stunners shall be applied to the livestock in accordance with this section so as to produce immediate unconsciousness in the animals before they are shackled, hoisted, thrown, cast, or cut. The animals shall be stunned in such a manner that they will be rendered unconscious with a minimum of excitement and discomfort	CLOSED

# Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 53

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M4653A+P4653A+V4653A	Agri Star Meat and Poultry, LLC	{A3229240-DAE E-4276-899F-70 AECCC7A154}	HRJ4414 064109N -1	06/09/2020	04C02	Livestock Humane Handling	313.16(a)(1)	At approximately 1335 hours I, (b) (6) observed the following noncompliance while verifying HATS Category VIII – Stunning Effectiveness. An establishment employee made a stunning attempt with a firearm on a non-ambulatory disabled heifer in the barn. The animal was in sternal recumbency with its head raised and alert. After the first shot I heard the animal vocalize. When I went around the side of the pen I observed the animal was conscious with its head thrown back, still in sternal recumbency. The animal then returned its head to a normal, erect position and moved it from side to side while tracking movement of the establishment employee. Blood was visible coming from the heifer's nostrils at this time. The employee immediately made a second, successful stunning attempt with the same firearm, rendering the animal unconscious. I notified (b) (6) of the noncompliance. As this was at the end of the day and the last slaughter of the week, no regulatory control action was taken.	CLOSED
M46547	Gourmet Natural Meats LLC	{C76E7E53-42F C-4E4A-8AE9-E F6571ADBE5C}	UAV0817 042807N -1	04/07/2020	04C02	Livestock Humane Handling	313.2	HATS Category III – Water and Feed Availability On 4/7/20 at approximately 0830 am I, (b) (6) was performing antemortem inspection of bob veal calves in pens 2, 3 and 4, which were all open and connected to hold one lot. During my inspection I noticed that the only water receptacle accessible to those calves was empty and had not been refilled. I checked the hoses leading to the empty container of water and found they had been turned off. I promptly alerted (b) (6), (b) (6) of my finding of noncompliance with 9 CFR 313.2(e). I asked how long the calves have been in those pens, and he answered they had been present since approximately 0718 this morning. I observed as the water receptacle was immediately filled. Therefore, no US Rejected tags were placed. Denver District Management was contacted through supervisory channels. A similar noncompliance of the same root cause was documented on 3/9/2020 in NR#UAV3819032109N. Corrective actions taken by the establishment in response to this NR were insufficient in preventing recurrence.	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M46597	Mid State Meat, LLC	{06A6EBE2-425C-4565-9839-0AC6925E44D4}	MEL1407051204N-1	05/04/2020	04C02	Livestock Humane Handling	313.2	At approximately 0705 hours, while performing the livestock humane handling task, one holding pen containing 3 cows did not have water. No water buckets were available in that area. One gooseneck trailer being used as a holding pen containing two bulls did not have available water. The water level was too low to access for the bulls. The establishment failed to provide access to water in holding pens, per 9 CFR 313.2 (e). Establishment manager, Mike Avrett, was not available to formally notify of the noncompliance. A similar noncompliance was documented on NR# MEL0215044029N/1 dated April 29, 2020. Previous preventative measures were not proposed from the previous noncompliance. This document serves as written notification of the establishment's failure to comply with regulatory requirements and could result in additional regulatory and administrative action.	OPEN
M46597	Mid State Meat, LLC	{5EA4BAB9-331F-42E0-A323-1992A94D6399}	MEL0215044029N-1	04/29/2020	04C02	Livestock Humane Handling	313.1, 313.2	At approximately 1415 hours, I arrived at the establishment to perform Humane Handling verifications. I observed 5 sheep in an enclosure and 9 cows and 2 bulls in the holding pen without access to water as required by 9 CFR 313.2(e). The water pipe was broken, and the cows were attempting to drink from the broken PVC pipe. The cattle were held in the holding pens that were not being maintained in good repair as required by 9 CFR 313.1(a). Sharp wood objects from a broken column and multiple rusted nails were protruding into the holding pen from the damaged pens. Approximately 9 boards with protruding nails were laying in the holding pens with the cattle and the nails were protruding up. In accordance with 9 CFR 313.50, the establishment operator was notified by phone of the noncompliance at 1426 hours and I requested that the operator take the necessary steps to prevent a recurrence. The establishment operator was not at the facility and unable to correct the pen noncompliance or offer measures to prevent the reoccurrence. Plant manager, Mike Avrett had someone come and refill the water buckets for the animals at 1450 hours. Because the inhumane treatment is the result of facility deficiencies and disrepair, I initiated regulatory control action by attaching "U.S. Rejected" tag numbers B36032523, B36032524, and B36032525 to the holding pens, loading dock, and sheep enclosure and informed the establishment operator that the alleyway, pen, loading dock, or enclosure compartment shall not be used until made acceptable to the inspector. The establishment operator was notified the tag shall not be removed by anyone other than an inspector.	OPEN

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M46633	The Steel Buffalo Butchery	{CD6F0B28-11B D-4708-8AEE-5A 57389FD822}	KRL4213 041109N -1	04/09/20 20	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(a)(3), 313.2(f)	HHC VIII Stunning Effective On April 9, 2020, while conducting the Humane Handling task, I witnessed the following noncompliance. At approximately 9:00 am, located in the knock box was a bull. The owner used a caliber 22 magnum rifle to stun the bull. After the first shot, the stun did not render the bull unconscious. The bull dropped his head, and immediately a second shot was fired. The bull was not rendered unconscious. Immediately a third shot was fired and the bull was render unconscious and it remained insensible to pain throughout the rest of the bleeding and shackling process. I immediately notified the establishment manger of the noncompliance. I took regulatory control actions by placing a U.S. Retained tag/Reject tag # NO.B29 713796 to the knock box. Upon skinning of the head it was determined that there was three points of entry into the skull. This is a compliance of 9 CFR 313.16(a)(1), 313.16(a)(3) and 313.2(f).	CLOSED
M46635	Quality Meat, Inc.	{8CB39501-75F8 -4BFF-8B79-92E F9E22E090}	MGG461 0044103 N-1	04/02/20 20	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(a)(3)	HATS category VIII (stunning effectiveness) On Thursday 04-02-2020, at approximately 1521 hours, the stunning area at Quality Meats M46635 in Aberdeen Idaho was U.S. rejected and stunning operations suspended by (b) (6) for an ineffective stun attempt while verifying stunning effectiveness. I (b) (6), observed the stun operator attempt to stun a steer with a 22 mag rifle at 1520 hours. The steer remained conscious, moving and was visibly agitated after the first stun attempt. A second stun attempt was made with the same rifle after about 45 seconds once the stun operator was able to properly aim at the correct location. After the second stun attempt, the steer was verified to be rendered unconscious. The steer was fairly decent size and was able to move forward and backward freely and had plenty of room on the sides. The steer was large enough not to be able to turn around but there is ample room within the knock box. The stun box was tagged with reject tag # B38032348 and owner (John Campbell) was verbally notified of the noncompliance (b) (6) was notified via phone call and was advised an email a description of events. Denver District Management was contacted through supervisory channels. This noncompliance is being linked to NR#MGG3217033220/1 for the same root cause	CLOSED
M46656	Attala Frozen Foods	{4C422B14-A2C F-434D-9103-AD F8C2FA769B}	YAI2713 051511N -1	05/11/20 20	04C02	Livestock Humane Handling	313.2	313.2: Handling of livestockThe livestock have little to no room to maneuver around the pens. Water and food are available but their is no space foe them to lay down. Standing room only.	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M46969	TN Slaughter House, Inc.	{15C0CD05-E98 D-4B42-BB48-42 A50FC5C697}	CDM401 0044213 N-1	04/09/20 20	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII - Stunning EffectivenessAt approximately 1230 hrs., the establishment attempted to stun a bull calf, using an inline captive bolt stun device. The first stun was observed to be ineffective as the animal displayed signs of sensibility wherein the animal remained standing and consciously breathing. The establishment stun employee immediately recognized the stun failure and retrieved additional ammunition and delivered an immediate and effective second stun, with the same inline captive bolt weapon. The animal was rendered insensible and remained so thereafter. This is in violation of 9 CFR 313.15(a)(1) and 9 CFR 313.15(a)(3). The establishment was immediately notified of the non-compliance and forthcoming issuance of the associated non-compliance record. The knock box was immediately tagged, pending acceptable corrective actions being proffered.	CLOSED
M47040+P47 040	Indiana Halal Farms LLC	{ADE31D51-C74 3-43F9-9D9B-1F AFB92D0326}	EYZ3012 054727N -1	05/27/20 20	04C02	Livestock Humane Handling	313.2	HH Category IV-Antemortem InspectionOn May 27, 2020 at approximately 1315 hours while observing the ritual slaughter (halal) of sheep (b) (6) observed the following noncompliance. The employee place the twine around the hocks of two ewes and placed the loop on the hoist hook in preparation for hoisting the ewes for the ritual cut. After the loops were placed on the hook the hoist was activated and the ewes were hoisted off of the floor while being suspended by the back leg. Upon getting the two ewes hoisted to the optimal height for the ritual cut the smaller of the ewes fell to the ground.Farook Abashaer, Plant Owner was summoned to the kill floor. While awaiting his arrival the ewe was tapped lightly and stood on her own power and walked back to the holding box (b) (6). (b) (6) discussed the incident with Mr. Abashaer and notified him that the ewe was dropped from the shackled and hoisted position awaiting the ritual cut but was uninjured and walked on her own power back to the holding box. Upon further investigation it was determined that the knot in the twine loop used as a shackle had come undone causing the ewe to be dropped from the hoist.Mr. Abashaer's immediate corrective actions were to discuss with the employee the need to ensure that all of the twine shackling loops had secure knots in them and to at the end of the day throw all of the loops away and use new ones the next day. He also instructed the employee to replace the loops as necessary to prevent the recurrence of the incident.Mr. Abashaer was notified both verbally and now in writing with this NR of the establishment's failure to comply with the regulatory requirements of 9 CFR 313.2(a).	CLOSED



EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M47085	Green Country Premium Beef, LLC	{901C311B-9536-4E14-B1C7-EFD D04759D04}	SVT0308 061830N -1	06/29/20 20	04C02	Livestock Humane Handling	313.2	On Tuesday, June 30, 2020 while performing HATS category 3 at approximately 0750 hours I, (b) (6) observed the following instance of noncompliance. There were in excess of 40 head of cattle being held within 3 pens. An exact head count was difficult to obtain due to continued movement of animals. Cattle within the 3 pens did not have free access to water. I observed a broken black stock tank placed outside of the southeast pen, and an empty water trough in another pen. These HATS category III observations are in noncompliance with 9 CFR 313.2(e), which states animals shall have access to water in all holding pens. Plant Manager Patrick Thames was notified of the noncompliance with 9 CFR 313.2(e) at approximately 0758 hours. I observed the establishment restore free access to water for livestock at approximately 0805 hours. A review of previous NRs indicates that there have been no other instances of noncompliance with 9 CFR 313.2(e) within the past 90 days.	OPEN
M48087+P48 087+V48087	Marin Sun Farms, Inc.	{96460D17-73E5-47B7-A79A-6FD 25247799B}	RAP5213 061010N -1	06/10/20 20	04C02	Livestock Humane Handling	313.15(a)(1), 313.50	On Wednesday, June 10, 2020, at about 7:52 am, while observing HATS category VIII Stunning effectiveness, I (b) (6) observed the following non-compliance. As the designated establishment individual was administering a stunning attempt with the handheld captive bolt device, at the point when stunning instrument was being moved into proper position at the preferred target point on the cow's head and the trigger was released, the Holstein cow abruptly moved its head. When the captive bolt discharged, the bolt made contact with the cow's head above the right nostril. The cow flinched, remained standing, and the stunner recognized the failure. He immediately reached for the back-up captive bolt gun and administered an immediate second stun above and to the rear of the top portion of the head; this occurred in less than 30 seconds. The second stun resulted in the animal immediately dropping. The second stun attempt was deemed effective due to lack of movement, lack of eye tracking, no rhythmic breathing, and complete lack of righting reflex. In accordance with 9 CFR 313.50(c), I tagged the knock box with US reject tag B37063451, due to an improper stun. As the establishment failed to produce immediate unconsciousness with the first stun attempt, the establishment is non-compliant with 9CFR313.15(a). Following this observation, I informed (b) (6) of the incident, notified (b) (6) of the non-compliance. There are no linked NRs for similar cause in the past 90 days.	OPEN

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M48095+P48095	Walke Brothers Meat Processing	{FEDF5B96-8B1A-463D-9816-CC8744DC706F}	XXG1211051621N-1	05/21/2020	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(a)(3)	On 5-21-20 at 8:21am while on the kill floor verifying HATS category VIII, stunning effectiveness I observed the following noncompliance. A kill floor employee attempted to stun a hog utilizing a .410 shotgun. The employee fired the gun and the hog stumbled backwards while vocalizing and bleeding from the mouth. The employee immediately reloaded the shotgun and fired a second shot rendering the animal unconscious. I notified plant owner John Walke of the noncompliance and he stated that he will remind the employees to take their time and not get in a hurry when stunning the animals. 9 CFR 313.16(a)(1) and 9 CFR 313.16(a)(3) require livestock to be rendered immediately unconscious with a single shot. A review of recent noncompliance records does not indicate a developing trend.	CLOSED
M48144	Abe's Kosher Meats LLC	{1EEAADF4-C2A3-470D-944D-2E8D82A5D8BF}	CFR5417054122N-1	05/22/2020	04C02	Livestock Humane Handling	313.2	HATS Category III - Water and Feed Availability (9 CFR 313.2): Under this category, IPP record their verification of the establishment's compliance with 9 CFR 313.2(e), which requires that water be available to livestock in all holding pens, and that animals held longer than 24 hours have access to feed. At approximately 1335 hours, May 22, 2020, I, (b) (6) was asked to perform ante mortem inspection on a pen of ten cattle for 4k cattle. One of the cows was identified to have red irritated tissues covering her right eye, swelling around the eye, and discharge running from the eye. I asked the employee working the pen to segregate the cow from the other nine to be presented to the PHV for examination. At 1338 hours, I indicated on the pen card the nine cattle passed for ante mortem, timed, initialed, and gave a description of the segregated cow that was put into the Provisional Suspect pen. At approximately 1348 hours, I went out to the pens to do a humane handling verification. The water barrel in Provisional Suspect pen had appeared to have been moved directly in front of the gate that the cow had walked through approximately ten minutes before. I walked up to the gate and looked into the barrel. The barrel was empty, the bottom was completely dry indicated it had not held water for some time. There was dry dirt in the bottom. I went back inside to get a QA, the first one I found was (b) (6). I informed (b) (6) of the cow being in a pen without water and of the noncompliance. At approximately 1355 hours, I went back out to the pen to verify that the cow had been provided water. The employee working the pens had just finished filling the barrel. This noncompliance is associated with CFR0220052607N-1	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M48144	Abe's Kosher Meats LLC	{273729E6-876D-4C25-8A07-DE4002BD4AAF}	CFR0220 052607N -1	05/06/2020	04C02	Livestock Humane Handling	313.2	<p>HATS Category III. Water and Feed Availability On May 5, 2020 at approximately 3:04 PM, I, (b) (6), observed 14 head of cattle from Wybenga Dairy #2 in the "unloading pen". The exact time that the cattle arrived on official establishment premises and were unloaded into the holding pens is unknown. Between 3:04 PM and 3:50 PM, an additional 10 head of Wybenga #2 cattle were brought onto the premise and the two groups were comingled. Of the 24 head, 3 were slaughtered and one died in the pen on May 5, 2020. The remaining 20 cattle were held overnight to be slaughtered on May 6, 2020. At approximately 2:55 PM on May 6, 2020, (b) (6) and I walked out to the "unloading pen" to observe the 20 cattle. There was no evidence of feed in the "unloading pen" or the off-premise pen where the group was held for part of the day. (b) (6) brought the (b) (6) out to the pens. I informed (b) (6) that this was a noncompliance for holding animals for longer than 24 hours without access to feed. (b) (6) informed me that they would slaughter all 20 Wybenga #2 cattle before going to break to ensure the cattle were slaughtered in a timely matter. At approximately 3:10 PM (b) (6) informed me that he fed the cattle. I went out to the "unloading pen" to observe that the cattle had been provided with feed. The truck scale receipts indicated that the first group of 14 cattle were weighed at 1:30 pm and the second group of 10 cattle were weighed at 3:00 PM. The same truck was used for both groups, confirming the first group did arrive on the premise prior to 3:00 PM on May 5, 2020. I informed (b) (6) that the establishment would be receiving a humane handling noncompliance for holding animals longer than 24 hours without providing feed. A copy of this noncompliance was provided to the Denver District Veterinary Medical Specialist. This noncompliance is associated with CFR2518041610N-1 issued on April 10, 2020.</p>	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M48144	Abe's Kosher Meats LLC	{5361D20A-A937-4776-ADD1-ADB1E65FF476}	CFR2518 041610N -1	04/10/20 20	04C02	Livestock Humane Handling	313.2	<p>HATS Category III. Water and Feed Availability On April 9, 2020, I, (b) (6) performed ante-mortem inspection on 18 cows from 4K at 0906 hours and 16 cows from 4K at 1020 hours. The exact time that the cattle arrived on official establishment premises and were unloaded in to the holding pens is unknown. Of these 34 cows, 22 cows were combined into one lot and held overnight to be slaughtered the next day. Prior to the end of slaughter operations on April 9, 2020, I verified the 22 cattle being held overnight for slaughter the next day had access to water and sufficient room to be able to lie down in the "Unloading Pen", but I did not observe any of these cattle with access to feed. I then reminded (b) (6) (b) (6) that the cows which were being held over for slaughter the next day must be fed or slaughtered within 24 hours. (b) (6) stated that the establishment would be starting slaughter at 0800 hours on April 10, 2020. On April 10, 2020, I, (b) (6) observed (b) (6) (b) (6) perform ante-mortem inspection on the 22 cows at 0810 hours. At the time of ante-mortem, I did not observe any evidence of feed in the "Unloading Pen" that the cattle were held in overnight. At 0906 hours, I observed that 7 of the 22 cows had not yet been slaughtered. No regulatory control actions were taken at this time to ensure that the remaining cows were slaughtered in a timely manner. I informed (b) (6) that slaughter could continue, however, the establishment would receive a noncompliance for holding animals for longer than 24 hours without access to feed. The last cow of this combined lot was stunned at 0939 hours. A copy of this noncompliance was provided to the Denver District Veterinary Medical Specialist. There have not been any noncompliance's of the same root cause issued within the past 90 days.</p>	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M48161+V48 161	Eggert Slaughtering, Inc.	{C60CBA8E-DA C2-41CF-8D58-5 3B9F98F7CC8}	SBF2711 053222N -1	05/20/20 20	04C02	Livestock Humane Handling	313.15(a)(1)	On May 20, 2020, at approximately 1200 hours, I, (b) (6) was performing the Humane Handling Category VIII (Stunning Effectiveness) Task. An establishment employee attempted a head stun with a hand-held captive bolt device on a beef animal in the restrainer. The captive bolt discharged normally. The stun did not have any effect on the animal evidenced by the animal was still standing and fully conscious. The animal did not vocalize nor become agitated. The employee immediately applied an effective stun, in the poll, with the same captive bolt device and the animal was rendered unconscious. I informed Kent Eggert, Establishment Owner, of the noncompliance. He provided verbal corrective actions and preventive measures and slaughter activities were resumed. On post-mortem examination of the head, there was a stunning hole in the head approximately two inches to the right of the left eye. This noncompliance will be associated with NR SBF5914031309N, dated 3/9/2020, for a similar incident of ineffective hand-held captive bolt stunning within the restrainer. The corrective actions and preventive measures were either not sufficient or were not implemented to prevent recurrence. This is a noncompliance of 9 CFR 313.15(a)(1).	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M4928+P4928	Islamic Meat & Poultry Co.	{8C7AB67C-7EF9-4F8F-A6D1-82E2BEAFD759}	DTD2917050020N-1	05/18/2020	04C02	Livestock Humane Handling	313.1, 313.2	<p>On 05/18/2020 at approximately 2:20pm, while performing an inspection of the establishment's livestock holding pens, driveways and ramps (HATS Category IV, Ante-Mortem Inspection), I observed the small ruminant staging pen located north of the beef chute that had a horizontal fence panel metal bar, located next to the pen floor, that was corroded and broken, with exposed rusted sharp metal edges that presented a sharp object hazard for animals. I ensured that the gate to the staging pen was closed so that no animals could be led into the pen. This staging pen is frequently used for holding small ruminants prior to entering the facility; however, during this inspection no animals were in the pen. No animals appeared to have been injured by these sharp object hazards. The presence of these sharp object hazards was a noncompliance with Title 9 CFR 313.1(a). I applied U.S. Reject tag B45289563 to the staging pen gate to prevent any animals from being placed in the pen. I also inspected the water troughs in the pens. Pen 4, which was holding approximately 15 lambs and goats, had an empty dry water receptacle, with no other source of water in the pen. This was a regulatory noncompliance with Title 9 CFR 313.2(e). Establishment management was notified immediately of my finding, and I placed Reject tag B25984095 to the gate of the pen. However, an establishment employee who was present in the pens immediately turned a valve on the water line to the receptacle and filled the receptacle with water. After providing the water, the animals showed no interest in the fresh water added to the water receptacle, and the animals did not appear to be harmed or stressed by the lack of water. The automatic watering mechanism in the receptacle was observed to be functional to ensure a continued source of water in the pen, and then I removed the Reject tag from the pen 4 gate. (b) (6), (b) (6), was notified of the noncompliance.</p>	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M4928+P4928	Islamic Meat & Poultry Co.	{F6BDC114-0BB7-4D4F-9CAA-8095E008C5BA}	DTD1112063325N-1	06/18/2020	04C02	Livestock Humane Handling	313.1, 313.2	<p>On 6/19/2020, at approximately 1930 hours, I, (b) (6) inspected the pens and alleyways (HATS Category IV, Ante-mortem Inspection), during an odd-hour inspection. I observed a 4-foot by 8-foot plywood panel attached to the corral panel immediately north of the beef lead-up chute. This plywood served as the wall of a small ruminant pen used for holding animals prior to their entry into the facility. The lower part of the north end of the plywood was loose and could easily be separated away from the corral panel bars, demonstrating a lack of maintaining this pen in good repair; this was a noncompliance with Title 9 CFR 313.1(a). I applied U.S. Reject tag B45289728 to the pen wall. No animals had access to the pen at the time of inspection. I observed a piece of plywood, approximately 2-foot by 2-foot size, loosely attached to the alleyway metal framework at the north end of the narrow alleyway next to the building; the plywood was warped, loose and protruding outward into the alleyway space, which demonstrated a lack of maintaining the end of this alleyway in good repair and was a protruding object hazard. This was a noncompliance with Title 9 CFR 313.1(a). I applied U.S. Reject tag B45289739 to the alleyway gate. No animals had access to the protruding/loose warped piece of plywood at the time of this inspection. In pen 9, I observed the lower south corner of the wire fencing material attached to the east corral panel protruding approximately 4 inches into the pen space, and the wire fence panel attached to the pen 9 gate was loose at the lower east corner of the gate. No animals had access to pen 9 at the time of this inspection. In pen 11, the west end of the plywood panel located above the water trough was loose and protruding outward into the pen space directly above the water trough. No animals had access to the pen at the time of this inspection. In pen 12, there were 2 sheets of loose plywood located on the west pen fence; these were loose across their entire length and were leaning outward. No animals had access to the pen at the time of this inspection. Loose and protruding objects in these holding pens demonstrated the establishment's failure to maintain the pens in good repair and presented a significant hazard for any animals that would be held in these pens. This was a noncompliance with Title 9 CFR 313.1(a). To prevent animals from being exposed to these hazards, I applied U.S. Reject tag B45289740 to the pen 9 gate, B45289566 to the pen 11 gate, and B45289564 to the pen 12 gate. No animals were observed to be injured that could have resulted from exposure to these hazards. The establishment took corrective action by securing the loose/protruding objects in the pen north of the beef lead-up chute, at the end of narrow alleyway, and in pens 9, 11 and 12. After I verified their corrective actions had removed the hazards, I then removed the U.S. Reject tags. I observed there was no water in Pen 1, which held approximately 20 goats in this pen. All animals in the pen</p>	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
								<p>appeared normal and did not show any signs of stress or dehydration. I immediately notified the plant management. The plant management removed the animals from pen 1 and placed them in pen 4 which had water available. Once the animals were placed in pen 4, they did not show any immediate interest in the water available to them in pen 4. These animals appeared normal and unharmed with no signs of thirst or dehydration. The establishment failed to provide water for the goats in pen 1; this was a noncompliance with 9 CFR 313.2(e). I informed the establishment they will need to provide a corrective action to prevent recurrence of lack of water in the pens. To prevent any other animals from being placed in pen 1, I applied U.S. Reject tag B45289567 to the gate of pen 1 after all the goats were removed from the pen. (b) (6)</p> <p>(b) (6) was notified of the noncompliance.</p>	
M4969+P4969	J J Meat Co.	{75816172-C388-4960-93AD-29851671918C}	JCO4319063530N-1	06/29/2020	04C02	Livestock Humane Handling	313.2	<p>HATS III: Water and Feed Availability On Monday June 29, 2020, at approximately 1436 hours, the following noncompliance was noted while performing a Livestock Humane Handling Task. While observing the pens, three segregated veal calves were observed without any access to water. The calves were inside Pen 2A, located on the east side of Pens 1 &amp; 2. The calves were resting quietly, with no obvious signs of distress due to not having access to water. The calves had no access to water for approximately one hour, as they were unloaded during lunch time (1330 hours to 1430 hours). I immediately notified (b) (6) of the observation and forthcoming noncompliance. (b) (6) immediately took the calves out of Pen 2A and placed them into Pen 1, where they were provided with access to water. The establishment was noncompliant with the regulatory requirement of 9 CFR 313.2(e), which states, "animals shall have access to water in all holding pens."</p>	CLOSED



EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M4969+P4969	J J Meat Co.	{824128B4-CA74-41E8-942C-1C4599EDDBE5}	JCO1118050226N-1	05/26/2020	04C02	Livestock Humane Handling	313.15(a)(1)	<p>HATS VIII: Stunning Effectiveness On Tuesday May 26, 2020, at approximately 1506 hours, the following noncompliance was noted during a livestock humane handling task: As (b) (6) was performing antemortem inspection during bob veal slaughter, a Holstein bob veal calf was determined to be non-ambulatory. (b) (6) plant employee, prepared to knock the calf using the handheld captive bolt gun. Just prior to the first knocking attempt, the calf moved its head, causing the captive bolt to miss its intended area and instead penetrate the hide and subcutaneous tissues on the rear aspect of the head. The first knock was ineffective; the calf was still conscious, alert, groaned, and began to attempt to stand, though it was unable to. The establishment identified the mis-stun and performed a second knock within ten seconds of the initial attempt. This knock was effective at rendering the bob veal unconscious, displaying no corneal reflex or signs of sensory functions. This incident was determined to not be egregious. The knock box was immediately tagged with US Rejected tag B43727378, and Plant Manager Javier Juarez was notified of the issue. Upon questioning the knocker and Plant Manager Javier Juarez Jr., they said that the calf moved its head immediately prior to the initial knocking attempt, which resulted in the mis-stun. FSIS eventually determined that the initial knock did not penetrate the skull; it only penetrated the hide and subcutaneous tissues. Manager Javier Juarez Jr. was notified of the forthcoming noncompliance. At approximately 1526 hours, the US Rejected tag was removed, and slaughter operations resumed after sufficient corrective actions were proffered. Due to not rendering the calf immediately unconscious, the establishment failed to comply with regulation 9 CFR 313.15(a)(1).</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-435

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M4975+P497 5	Dale T. Smith and Sons Meat Packing Company Inc	{3EF88B20-171C -478A-B7E4-5C9 EB8A2EF07}	IYC3009 061802N -1	06/02/20 20	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII – Stunning EffectivenessWhile observing stunning effectiveness at approximately 0730 hours, I observed an ineffective stunning attempt on Holstein cow #36. After the first stun attempt with the hand-held captive bolt (HHCB) device, the cow remained standing. There was no vocalization. The HHCB device remained lodged in the animal's head. The cow swung its head side-to-side several times. The stun operator immediately grabbed the backup HHCB device located at the stun box. A second stunning attempt was made with the backup HHCB device that successfully rendered the cow unconscious. I informed (b) (6) of the ineffective stun and applied U.S. Reject tag number B43736531 to the stun box. I observed the dressed head and verified two separate penetrating stun holes and retained the head using U.S. Retained tag number B43736554. The Denver District Office was contacted via supervisory channels and (b) (6) and I verbally informed (b) (6), of the noncompliance. This NR is linked to NR IYC4515041327N / 1, dated 4/27/20.	CLOSED
M4975+P497 5	Dale T. Smith and Sons Meat Packing Company Inc	{D0C9343B-F461 -4E22-BCC5-DD 932FE8639F}	IYC4515 041327N -1	04/27/20 20	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII – Stunning EffectivenessWhile observing stunning effectiveness at approximately 1350 hours, I heard the hand-held captive bolt (HHCB) device discharge and immediately heard the dairy cow being stunned vocalize. I observed that the cow had fallen to her haunches, but had remained conscious (breathing, eye tracking, remaining upright). An immediate second stunning attempt was made, with the backup HHCB device, that successfully rendered the cow unconscious. I observed the dressed head and verified two separate penetrating stun holes. I informed (b) (6), SPHV of the ineffective stun and applied U.S. Reject tag number B43736653 to the stun box. The Denver District Office was contacted via supervisory channels and (b) (6) verbally informed (b) (6), of the noncompliance. There have been no noncompliance records for the same root cause issued within the past 90 days.	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M4975+P4975	Dale T. Smith and Sons Meat Packing Company Inc	{D1E2CC01-F8A8-4594-9B26-FA83A025F1C7}	IYC2117064424N-1	06/24/2020	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII – Stunning Effectiveness While approaching the knock box to observe stunning effectiveness, on 6/24/20 at approximately 1345, I heard the hand-held captive bolt (HHCB) device discharge. Upon reaching the stunning area, I observed a Holstein cow standing in the restrainer and an establishment employee attempting to stun it. After approximately 10 seconds after hearing the initial stun attempt, the employee effectively stunned the cow with the HHCB device. I observed the head, after dressing procedures, and observed two separate penetrating stun holes. I retained the head using U.S. Retained tag number B43736618. After notifying (b) (6) regulatory control was taken at the stunning area with U.S. Rejected tag #B43736617. The Denver District Office was contacted via supervisory channels and (b) (6) verbally informed (b) (6) of the noncompliance. This NR is linked to NR IYC3009061802N / 1, dated 6/2/20. This is the third linked NR in the past 60 days.	CLOSED
M51187	Pataskala Meats	{AAD369AF-B2B6-42EF-BE9A-BCF8F9FF57FD}	PPH1107043023N-1	04/23/2020	04C02	Livestock Humane Handling	313.2	At approximately 0600 hrs of the above date the following noncompliance was observed while conducting antemortem inspection: no water in the water trough for the 4 head of cattle presented for slaughter. While observing the animals at rest I noticed that the water trough was dry and empty. I notified (b) (6) of this noncompliance. One of the plant employees (Carter) went for a hose to refill the trough and proceeded to fill the trough with water. At that point I proceeded to finish the antemortem inspection and release the animals for slaughter. There is noncompliance with 9 CFR 313.2 (e) which states, in part, that animals have access to water in all holding pens.	CLOSED
M51306+V51306	Powell Meat Company LLC	{16101917-2541-47C1-A5B4-5F50E9EAFCEB}	MCU0912064212N-1	06/12/2020	04C02	Livestock Humane Handling	313.16(a)(1)	HATS Category VIII-Stunning EffectivenessOn 06/12/20, at approximately 1115 hours, I, (b) (6), observed a stun failure on a steer in the establishment's slaughter area. An establishment employee shot the animal in the head with a .22 caliber rifle, after which the steer did not dropped to the floor but rather stood in place still looking at the employee and was moving its head up and down. The employee could not get a good aim on the animal as it was moving its head around. A second employee quickly took the rifle and applied a second shot which produced immediate unconsciousness. This is a failure to meet the regulatory requirements of 9 CFR 313.16(a)(1) and I informed (b) (6) (b) (6) that a noncompliance record would be issued. This NR is being associated with NR MCU3113060002N written on 06-02-2020, the establishment has not answered the previous NR's at this time. Approval plan addressing NR in place and being performed by plant personnel.	CLOSED

# Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 68

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M51306+V51306	Powell Meat Company LLC	{CE858220-4563-4B7E-970B-89365BBF5E63}	MCU1216053204N-1	05/04/2020	04C02	Livestock Humane Handling	313.16(a)(1)	HATS Category VIII-Stunning Effectiveness On 5/4/20, at approximately 1450 hours, I, (b) (6) observed a stun failure on a hog in the establishment's slaughter area. An establishment employee shot the animal in the head with a .22 caliber rifle, after which the hog dropped to the floor, vocalizing, then got back up on its feet. The employee quickly reloaded the rifle and applied a second stun which produced immediate unconsciousness. This is a failure to meet the regulatory requirements of 9 CFR 313.16(a)(1) and I informed Plant Manager Joe Applegate that a noncompliance record would be issued. This NR is not being linked to any other noncompliance record.	CLOSED
M51306+V51306	Powell Meat Company LLC	{D342BECC-8D84-428A-ABB9-EEA40325ABAF}	MCU3113060002N-1	06/02/2020	04C02	Livestock Humane Handling	313.16(a)(1)	HATS Category VIII-Stunning EffectivenessOn 06/02/20, at approximately 1220 hours, I, (b) (6) , observed a stun failure on a hog in the establishment's slaughter area. An establishment employee shot the animal in the head with a .22 caliber rifle, after which the hog dropped to the floor, then got back up on its feet with its eyes focusing on its surroundings and its head moving back and forth. The employee quickly reloaded the rifle and applied a second stun which produced immediate unconsciousness. This is a failure to meet the regulatory requirements of 9 CFR 313.16(a)(1) and I informed Plant Manager Joe Applegate that a noncompliance record would be issued. This NR is being associated with NR MCU1216053204N written on 05-04-2020, the establishment has not answered the previous NR at this time. Approval plan addressing NR in place and being performed by plant personnel.	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M51306+V51306	Powell Meat Company LLC	{E596588D-442B-4F72-A6DF-8E6D7FEF8CCE}	MCU5509065016N-1	06/16/2020	04C02	Livestock Humane Handling	313.16(a)(1)	<p>HATS Category VIII-Stunning EffectivenessOn 06/16/20, at approximately 0940 hours, I, (b) (6), observed a stun failure on a hog in the establishment's slaughter area. An establishment employee shot the animal in the head with a .22 caliber rifle, after which the hog did not drop to the floor but rather stood in place, the stun was not effective. The employee quickly applied a second stun which produced immediate unconsciousness, then the employee applied an assurance stun. This is a failure to meet the regulatory requirements of 9 CFR 313.16(a)(1) and I informed Plant Manager Joseph Applegate that a noncompliance record would be issued. Later in the day, at approximately 1040 hours, I, (b) (6), observed a stun failure on a hog in the establishment's slaughter area. An establishment employee shot the animal in the head with a .22 caliber rifle, after which the hog did not drop to the floor, the shot was not effective. The employee quickly applied a second stun which produced immediate unconsciousness. This is a failure to meet the regulatory requirements of 9 CFR 313.16(a)(1) and I informed Plant Manager Joseph Applegate that a noncompliance record would be issued. At approximately 1600 hours, I, (b) (6), observed a stun failure on a hog in the establishment's slaughter area. An establishment employee shot the animal in the head with a .22 caliber rifle, after which the hog did drop to the floor. However, when I observed the animal for signs of consciousness, I observed the animal was blinking its eye. I waved my hand in front of its eye and touched it, the animal continued to blink and then started tracking my movement. The employee quickly applied a second stun which produced immediate unconsciousness. This is a failure to meet the regulatory requirements of 9 CFR 313.16(a)(1) and I informed Plant Manager Joseph Applegate that a noncompliance record would be issued. This NR is being associated with NR MCU0912064212N written on 06-12-2020 for similar cause. The establishment has not answered the previous NR's at this time. The linkage of these NR's will be discussed at the next weekly meeting. Approval plan addressing NR in place and being performed by plant personnel.</p>	CLOSED

## Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 70

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M5430+V5430	Bierig Brothers Inc.	{7F8FA2C7-7FB3-48F4-A110-09E795E9937D}	DRB2807062022N-1	06/22/2020	04C02	Livestock Humane Handling	313.1, 313.2	On June 22, 2020, at approximately 610 hrs., while watching the unloading of veal from a delivery truck, I witnessed the following noncompliance: one veal slipped and fell at the opening between the truck and the enclosed pen area. The driver continued to push the calves forward forcing them to jump over the fallen calf to gain access to the pen. The fallen calf regained its footing and walked into the pen with the other animals. I alerted plant personnel of the failure to comply with humane handling regulations before driver could move any more animals off trailer. (b) (6) made corrective actions and subsequent animals driven off trailer was done in full compliance with regulations. The plant had already stopped killing due an unrelated mechanical breakdown.	CLOSED
M5497+V5497	Adams Farm Slaughterhouse LLC	{467A0452-72E5-44F0-94FD-F4468392E595}	FWJ0709060412N-1	06/12/2020	04C02	Livestock Humane Handling	313.1	HATS Category IV: Antemortem InspectionToday, while performing inspections to ensure acceptable humane handling I observed the following in the barn: 1) the door leading from the corral into the chute is rotting away at the bottom. It has a large gap, approximately 8 inches wide, with rough, ragged edges of metal exposed; 2) In the chute, two wall panels are rotting and have exposed rusty metal edges. Heading toward the kill floor, the first panel on the right and further up on the left, the wall panel that is right before the gate closest to the receiving door; 3) the gate on pen #2 has become unattached from its post and is being held on with a chain. (b) (6) has been informed of these findings verbally and with this notice.	CLOSED
M562	JBS Green Bay, Inc.	{91105827-F1C9-4C73-8CB6-2E0862EDC568}	QSM4508062305N-1	06/02/2020	04C02	Livestock Humane Handling	313.2	On June 2, 2020 at approximately 5:45am (b) (6) was performing HATS Category IV task, Handling During Antemortem Inspection, when the following noncompliance was observed. (b) (6) observed a dead steer in pen #15. The steers head was stuck between the top of the waterer and the railing above it and was protruding through the rails into the adjacent pen. The railing was not bent or damaged, but there was a wide gap above the waterer. The steer was cold and stiff and the legs were tucked underneath with slight elevation of the front half of the body. (b) (6) had barn personnel notify establishment management of the situation. (b) (6) notified (b) (6) of the situation. (b) (6) notified (b) (6) of the noncompliance and forthcoming noncompliance record. (b) (6) took a regulatory control action and applied U.S. Reject tag #B28936395 and U.S. Reject tag #B28936424 to pen #15 and pen #14. The pens will remain tagged until the establishment implements corrective actions and preventative measures. Upon visual examination of the tagged pens on Wednesday June 3 at 5:50am, it was noted that corrective actions and preventive measures had been implemented by welding a pipe between the waterer and the next pipe above. (b) (6) removed the US Reject Tags and the pens were released for use.	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M562	JBS Green Bay, Inc.	{D151AB6E-D90F-4F30-BABD-9337D5812259}	QSM011 1050319 N-1	05/19/20 20	04C02	Livestock Humane Handling	313.2	On May 19, 2020 at 7:05am while performing Handling During Ante-mortem Inspection (HATS category IV), (b) (6) found a non-compliance with HATS category III, Water and Feed Availability. It was observed that on all 3 loading docks the water tanks were empty and dry, and cattle had been held on the three docks. The animals were moved to pens with water. The barn employee that was assisting with Ante-mortem Inspection was notified of the non-compliance and they were instructed that cattle were not to be held on the docks until water was available. (b) (6) was also notified of the non-compliance.	CLOSED
M5900	Niblock's Pork Products	{471B867B-756F-4C63-9193-47E25AC7B2E9}	HLD0210 043021N -1	04/21/20 20	04C02	Livestock Humane Handling		On April 21, 2020, at approximately 0855 hrs., while performing humane handling task (b) (6) witnessed the following noncompliance; 10 market hogs had no access to water in there outside pen. There were 3 buckets of water in a different section of the pen, but the gate was closed. The kill was immediately stopped. I informed (b) (6) plant owner of the noncompliance. He opened the pen, so the market hogs could access the 3 buckets of water and filled their blue water trough with water as well. The hogs readily started drinking water once trough was filled. At 0910 hrs. regulatory control action was release.	CLOSED
M630	CS Beef Packers, LLC	{A352C005-AC24-426C-875E-822D8E5DE2E6}	KJN1718 062903N -1	06/03/20 20	04C02	Livestock Humane Handling	313.1	HATS Category IV – Ante-mortem Inspection On June 3, 2020 at approximately 8:15 am while performing a routine HATS task during antemortem inspection, I, (b) (6). (b) (6) observed a black cow with ear tag H503 with her head stuck in the gate dividing South Inside Alley 1 and 2 between two horizontal metal bars while attempting to drink water. She was repeatedly pulling backward in an attempt to free her head and after approximately 10 minutes began to audibly groan. No other obvious signs of distress were observed. After approximately 15 minutes of plant employees unsuccessfully attempting to appropriately manipulate the cow's head in order to free her, the cow was stunned and condemned with tag number Z9287914. This is a noncompliance with 9 CFR 313.1(a) which states, "unnecessary openings where the head, feet, or legs of an animal may be injured shall be repaired." I notified (b) (6) of the noncompliance. He informed me that maintenance would be installing additional metal bars onto the gates that divide watering troughs in the South Inside and Outside Alleys, as well as Pens 11, 12, 19, and 20 to prevent recurrence. In addition, cows will not be held in those areas with the gates opened until the metal bars are installed. A review of non-compliances was performed for the last 90 days. It was determined that a non-compliance has not been issued for the same root cause over this time frame.	CLOSED

## Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 72

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M6354+P6354+V6354	E.L. Blood & Son, Inc.	{5CCA3411-5A27-429B-8C82-67FB2D239D83}	BNH3011060323N-1	06/23/2020	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Cat VIII Stunning Effectiveness On June 23, 2020 at approximately 0830 I observed an ineffective stun of a market lamb. After the first stun attempt with the captive bolt, the lamb remained standing with blood coming from its head. A second stun was immediately administered, and the lamb was rendered insensible. The establishment employee advised me that the lamb moved his head at the last moment and the stun was misplaced. I took a regulatory control action at approximately 0850 and tagged the door to the knocking area for lambs with US Rejected tag #B24778364.	CLOSED
M6423+P6423+V6423	Walt's Wholesale Meats, Inc.	{40CDA2A5-9127-4587-8CC7-BA347CE8BC5E}	MFO0810051620N-2	05/19/2020	04C02	Livestock Humane Handling	313.1	On 5/20/2020 at 0605 while performing antemortem inspection I, (b) (6) observed the following noncompliance. While inspecting the livestock pens, driveway, and ramps while accompanied by (b) (6). (b) (6) I noticed 2 protruding metal objects both sticking out approximately an inch and a half on the railing along the ramp that leads the livestock into the knocking box. These protruding pieces of metal are at eye level to the cows and could cause injury or pain to them. I immediately tagged out the railing and informed the antemortem employee (b) (6) of the issue. He got Plant Manager Rafael Gomez out along with maintenance to remove the metal. At 0621 he asked if we could reinspect the railing. (b) (6) identified another spot of metal to be removed. After removal I re-inspected the area and found it acceptable and at 0624 released the area. I informed Mr. Gomez that a noncompliance will be documented. A review of the past 90 days revealed no similar noncompliance.	CLOSED
M6482	York Meats	{B357BF60-4399-4964-97E2-0ECD4C6F0CC0}	UPJ1111065719N-1	06/17/2020	04C02	Livestock Humane Handling	313.2	On June 17th 2020 at approximately 12:00 P.M while performing a humane handling verification task the following non compliance was found. While observing to verify that all animals in the holding pens had access to water I discovered a pig in the covered pen at the establishment did not have any access to water. I informed (b) (6) of this and he sent an establishment employee out to fill up the water containers for the animal I informed him that I would be documenting a noncompliance based on my findings.	CLOSED
M6720	Martin's Pork Products, Inc.	{2F26854F-658B-4681-A54B-0BBFFEB0A295}	AVA2406062230N-1	06/30/2020	04C02	Livestock Humane Handling	313.2	At approximately 0630, on 6/30/20, while performing the Livestock Human Handling task, the following noncompliance was observed: It was observed that one hog was left isolated near the truck loading/unloading dock with no access to water or shelter. Regulatory control action was not taken due to employees being on hand to address the noncompliance's. Steven Holmes, plant manager, was notified of the noncompliance and the failure to meet regulatory requirement 9 CFR 313.2(e).	CLOSED



# Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 73

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M6720	Martin's Pork Products, Inc.	{EB4E1651-D2C0-43C8-BE97-079DF0D389EA}	AVA4010043117N-1	04/17/2020	04C02	Livestock Humane Handling	313.1	On April 17, 2020 while performing a humane handling task a noncompliance was found in the barn. The gate to pen number ten is broke there was no animals inside. The establishment was notified of their failure to comply with the federal regulation 9 CFR 313.1.	CLOSED
M6785	BEF Foods, Inc.	{16DB41B8-3E32-445F-8861-B922E47F2E2A}	NRL0517052805N-1	05/01/2020	04C02	Livestock Humane Handling	313.2	On 5/1/2020 at approximately 5:49 am while performing the HATS task: handling during antemortem and handling of suspect and disabled on a load of sows from the producer, (b) (4) for the Livestock Humane Handling task, I, (b) (6) observed the following non-compliance. I observed a sow that was non-ambulatory in a pen with about 50 other sows. She was completely laterally recumbent and appeared to be in a moribund state. I observed a (b) (6) standing by the sow with a rattle paddle and no sort board to keep other sows away from stepping on and or over her. I then observed the other establishment employee open one of the gates to the pen. Once he opened the door, I noticed that employee enter the pen near the area where the moribund sow was lying to aid in driving the other sows toward the open gate in order to have them leave the pen that the moribund sow was located. The moribund sow was located approximately six feet from a closed gate. Once the employee entered the pen, the ambulatory sows ran in the direction of the moribund sow. I then observed approximately 6 sows step on and over the moribund sow. For about 5 to 10 seconds, I lost site of the sow because of the number of ambulatory sows that were standing on and crowding around her. After about 5 to 10 seconds the sows were effectively moving to and through the open gate to go into another pen and away from the moribund sow. The moribund sow did not make any visual or audible signs during the above described situation. She appeared to be in the same condition before she was stepped on. The moribund sow was effectively euthanized on the first attempt. I informed (b) (6) that a non-compliance record would be issued. The establishment was non-compliant with regulation 313.2a. This document serves as a written notification that continued failure to meet regulatory requirements can lead to enforcement action as described in 9 CFR Part 500.4	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M7138+P7138	Valley Meat Supply	{692AEE6E-73BE-4E21-9CB9-5C92119945C4}	LOD4114043630N-1	04/30/2020	04C02	Livestock Humane Handling	313.16(a)(1)	At approximately 0955 hours while observing HATS category VIII-Stunning Effectiveness during slaughter of the second of five beef animals, Mr. Rod Haughvedt (owner) delivered a stun from a .22 mag pistol to the bull restrained in a squeeze chute. I was outside the stunning area as required by the Firearm Discharge Agreement 4791-36. I heard a normal sounding firearm discharge, heard the bull vocalize with a distinctive bellow indicating consciousness, and then I heard an immediate second shot followed by a third shot. Following the third shot, I entered the slaughter floor and confirmed the bull was unconscious. I asked Mr. Haughvedt what had happened, he stated that just as he was about to fire the animal jerked his head and the fire arm discharged into the skull, he immediately administered a second stun attempt and the animal collapsed and he administered a third security stun. IPP notified Mr. Haughvedt that further slaughter would be discontinued until I spoke with my supervisor and I applied U.S. Reject tag number B38459801 to the restrainer. Upon further examination of the skinned head, three projectile entry points were observed. The first entry was 3/8 of an inch to the lower left below a line drawn between the eyes with the projectile path roughly perpendicular to the facial bones, the second entry was in the middle of the line, and the last entry was directly below the second. I notified Mr. Haughvedt that I would be issuing a non-compliance record for failure to render the animal insensible on the first stun. After receiving verbal corrective actions and preventative measures from Mr. Haughvedt, I released the restrainer to allow slaughter to continue. This noncompliance will be associated with NR LOD4315043828 dated 4/28/20 for a similar incident of ineffective firearm stunning within the restrainer. The corrective actions and preventative measure were either not sufficient or were not implemented to prevent recurrence.	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M7138+P7138	Valley Meat Supply	{AAD39C70-6CFB-450F-B0D4-A3A318139E14}	LOD4315043828N-1	04/28/2020	04C02	Livestock Humane Handling	313.16(a)(1)	At approximately 1157 hours while observing HATS category VIII-Stunning Effectiveness during slaughter of the third of five beef animals, Mr. Rod Haughvedt (owner) delivered a stun from a .22 mag pistol to the animal restrained in a squeeze chute. I was outside the stunning area as required by the Firearm Discharge Agreement 4791-36. I heard a normal sounding firearm discharge and opened the door. The animal was conscious as I heard it vocalized a distinctive bellow and I observed Mr. Haughvedt administer an immediate and effective second shot with the same firearm. Following the second shot, I confirmed the animal was unconscious. IPP notified Mr. Haughvedt that further slaughter would be discontinued until I spoke with my supervisor and I applied U.S. Reject tag number B38459815 to the restrainer. Upon further examination of the head, two projectile entry points were observed. One was rostral or below a line drawn between the eyes with the projectile path roughly perpendicular to the facial bones. The other was 3/8 of an inch to the lower right. I notified Mr. Haughvedt that I would be issuing a non-compliance record for failure to render the animal insensible on the first stun. After receiving verbal corrective actions and preventative measures from Mr. Haughvedt, I released the restrainer to allow slaughter to continue.	CLOSED
M7356+P7356+V7356	Harmon Brothers Meats, Inc.	{16B6446B-B5DE-4114-AE4F-22F78CFB2EB5}	IJK2909064501N-1	06/01/2020	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	On Monday, June 1, 2020, at approximately 0755 hours, I, (b) (6), observed the following noncompliance while verifying HATS category 8 (stunning effectiveness) at Est. M7356 (Harmon Brothers Meats): the first captive bolt stun attempt delivered to a mature sheep was not effective at rendering the animal unconscious. The animal remained standing with conscious eye tracking, with pooled blood around the wound on the forehead. The plant employee subsequently delivered an immediate and effective corrective action by captive bolt that was successful in rendering the animal unconscious, and the animal remained so thereafter. I initiated regulatory control action 0800 hours by tagging the knock box with USDA reject tag # B37427633. The plant manager was orally informed at 0800 hours of the noncompliance with 9CFR 313.15(a)(1) and 9CFR 313.15(a)(3). This noncompliance is associated with noncompliance IJK2207040129N documented on April 29, 2020 demonstrating the establishment's failure to produce immediate unconsciousness in the animals. The establishment provided acceptable verbal corrective actions to the root cause of the incident at 0940, and the knock box was released.	CLOSED

# Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 76

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M7356+P7356+V7356	Harmon Brothers Meats, Inc.	{8547498C-51EA-477D-839E-F7837B479B6A}	IJK2207040129N-1	04/28/2020	04C02	Livestock Humane Handling	313.15(a)(1), 313.15(a)(3)	On Tuesday, April 28, 2020, at approximately 1130 hours, I, (b) (6), observed the following noncompliance while verifying HATS Category 8 (Stunning Effectiveness) at Est. M7356 (Harmon Brothers Meats): the first captive bolt stun attempt delivered to an approximately 300 lb. hog was not effective at rendering the animal unconscious. The animal remained standing and vocalized, with blood pooling around the wound on the forehead. The plant employee subsequently delivered an immediate and effective corrective action by firearm that was successful in rendering the animal unconscious, and the animal remained so thereafter. I initiated a regulatory control action at 1140 hours by tagging the knock box with USDA Rejected Tag #B42200573. The plant manager was orally informed at 1140 of the noncompliance with 9CFR 313.15(a)(1) and 9CFR 313.15(a)(3). The establishment provided acceptable verbal corrective actions to the root cause of the incident at 1400, and the knock box was released. The establishment is currently without a Robust Systematic Approach (RSA) to Humane Handling program.	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M7464+P7464	F.B. Purnell Sausage Company Inc.	{302BA736-B8E1-40C6-B1EC-18247A944630}	CMN5112051122N-1	05/22/2020	04C02	Livestock Humane Handling	313.1, 313.2	<p>HATS category IV: Ante-mortem inspection While performing the Livestock Humane Handling task at Purnell Sausage Co. (M7464) Simpsonville, KY the Supervisory Veterinary Medical Officer (SVMO) made the following observations: At approximately 1030 hrs. EDT marked vocalization was heard emanating from the barn prior to entering the holding pens. · Once in the barn, pen 5 holding sows in number too numerous to count (TNCTC) were observed being washed with a high-pressure water hose; sows were vocalizing, climbing over top of one another, and falling. · A gate leading into pen 5 was observed being secured with a chain; an approximately 12-inch opening was observed, and a sow was observed with her head/neck caught in the opening, attempting to extract herself from the opening, but unable to do so. The SVMO immediately took a regulatory control action and had the establishment employee stop washing the sows; upon entering the stunning area, the SVMO again took a regulatory control action and had establishment personnel stop stunning animals. (b) (6) and (b) (6) were located on the kill floor and were requested to accompany the SVMO to the holding pens. Upon returning to the holding pens and pen 5, the commotion had settled and the sow in question was observed sitting upright with her head/neck still in the opening but was able to remove her head as the pressure against her and the gate had released. The SVMO inquired of (b) (6) if the latches on the gates were functional as the chains are security measures in case the latches pop open; (b) (6) checked latches on both pen 5 and pen 6 and the latches were found to be functional. The SVMO relayed to (b) (6) that the latches are routinely observed not in use; the chains are the usual means of securing the gates. (b) (6) proffered that establishment personnel will be instructed to routinely latch the gates; establishment personnel will be instructed on the stocking density of pen 5 (the pen prior to entering the chute leading to the restrainer and where the sows are washed), and that a personnel action will be taken with the responsible establishment employee. The SVMO allowed the resumption of operations at approximately 1045 hrs. EDT. (b) (6) was made aware of the non-compliance with 9 CFR 313.1(a), "Loose boards, splintered or broken planking, and unnecessary openings where the head, feet, or legs of an animal may be injured shall be repaired" and 9 CFR 313.2(a), "Driving of livestock from the unloading ramps to the holding pens and from the holding pens to the stunning area shall be done with a minimum of excitement and discomfort to the animals."</p>	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M7464+P7464	F.B. Purnell Sausage Company Inc.	{9BAA60FB-2A5D-4F39-9EA8-A71FE61F7480}	CMN0914040502N-1	04/02/2020	04C02	Livestock Humane Handling	313.2	<p>HATS category IV: Ante-mortem inspection While performing the livestock Humane Handling Activities Tracking System (HATS) task at Purnell Sausage Co. (M7464) Simpsonville, KY the (b) (6) made the following observation: The establishment went to break at approximately 1350 hrs. EDT. The SVMO found at approximately 1400 hrs. EDT, five (5) sows confined in the chute leading to the restrainer; the back-up gate was engaged preventing the sows from backing down the chute. The first sow in the chute was observed lying on top of the second sow (sternal recumbent), covering approximately two-thirds of the second sow with her body. The fourth sow found in the chute was setting in an up-right position, wedged/squashed between the third and fifth sow and unable to move. (b) (6) was made aware of the situation; the SVMO informed (b) (6) a regulatory control action was being taken with the placement of U.S. Rejected tag # B42198958 on restrainer. (b) (6) immediately employed additional establishment personnel and proffered to correct the situation by stunning the first two sows thereby increasing the room available in the chute; the tag was removed and (b) (6) allowed (b) (6) to proceed. Per title 9 CFR 313.2(a) the "driving of livestock from the unloading ramps to the holding pens and from the holding pens to the stunning area shall be done with a minimum of excitement and discomfort to the animals."</p>	CLOSED
M7644+P7644+V7644	Yellowstone River Beef	{FBCF7A5C-4761-47BC-9337-C9205E182448}	NBO1012061804N-1	06/04/2020	04C02	Livestock Humane Handling	313.2	<p>Category III Water and Feed Availability During the performance of the Humane Handling task at 1100 hours , IIC observed regulatory noncompliance in the corral area of the premises. Livestock being held in two pens, prior to tomorrows' slaughter, had no access to water. One pen (3 beef) had no bucket and the other pen (4 beef) had 2 buckets-all with no water or water spillage in the area. IIC placed tag # 305605 to the corral gate and expressed to Jody Dennis -Establishment Manager that an NR would be written. The establishments' verbal response and the corrective actions of the establishment employees was to immediately supply water to the livestock. IIC observed compliance at 1115 hours and removed the tag. This is noncompliant of Regulation 313.2 water accessibility available to livestock in holding pens.</p>	CLOSED

# Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 79

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M7722+P7722+V7722	Jones Meat & Food Services, Inc.	{6FA56D16-A3F4-4349-BCD7-B4DF13A66416}	SAN3407040610N-1	04/09/2020	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII (Stunning Effectiveness) At approximately 10:45 AM (b) (6), while performing a routine HATS Category VIII task, observed the stun operator utilize a hand-held captive bolt (HHCB) device to apply first stun attempt to a dairy cow. I observed the cow remain standing, looking around, blink, and breathe rhythmically. No vocalization was observed. The stun operator retrieved the backup firearm (22 magnum rifle) from the gun rack directly behind the stun box and applied a second stun attempt, which rendered the animal immediately unconscious. The stun box was tagged with U.S. Reject tag number B41003358 and the establishment owner was verbally notified of the impending noncompliance. The Denver District office was notified via supervisory channels. There have been no compliance records documented for the same root cause within the past 90 days.	CLOSED
M7722+P7722+V7722	Jones Meat & Food Services, Inc.	{B89FF475-072B-43FC-96C5-92D2FF14A860}	SAN4007055620N-1	05/19/2020	04C02	Livestock Humane Handling	313.15(a)(1)	HATS Category VIII (Stunning Effectiveness) At approximately 9:35 AM on 5/19/20 (b) (6), while verifying HATS Category VIII (Stunning Effectiveness), observed the stun operator utilize a hand-held captive bolt (HHCB) device to apply the first stun attempt to a dairy cow. I observed the cow remain standing, exhibiting coordinated muscle movements, and breathing rhythmically. No vocalization was observed. The stun operator retrieved the backup firearm, a 22 magnum rifle, from the gun rack directly behind the stun box and applied a second stun attempt, which rendered the animal immediately unconscious. The stun box was tagged with U.S. Reject tag number B41003469 and the slaughter floor manager was verbally notified of the impending noncompliance. The head was inspected after dressing procedures had been completed, and two penetrating stun holes were identified. The Denver District office was notified via supervisory channels. This noncompliance is associated with Noncompliance SAN3407040610N/1 issued on April 10, 2020.	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M7785+P7785+V7785	Huettl's Locker & Dressing Plant	{1E506C99-7722-41D5-AB3F-57212A04F3C7}	FPI0614061112N-1	06/12/2020	04C02	Livestock Humane Handling	313.1	HATS Category VI: Slips and Falls (9 CFR 313.1). At approximately 0700 (b) (6) performed antemortem on one steer located in the trailer outside the back door. He observed no abnormalities and the animal was ambulatory. Following antemortem, he entered the establishment to perform other inspection duties. A few minutes later the establishment notified him that the steer was non-ambulatory. At approximately 0715 hours, he returned to find the animal on the trailer with both hind legs splayed out to the side and its whole body still in the trailer. The trailer was clean, but nothing had been placed on the trailer for additional footing (e.g. straw). The animal tried to manipulate its leg underneath itself to rise but could not do so. The establishment tried to use a wooden board behind the back feet to try to give the animal leverage to rise, but the animal could still not get its legs underneath itself. (b) (6) observed that both the angle of the animal's legs and the slipperiness of the trailer floor were issues. The establishment stunned animal with a rifle and the animal immediately became unconscious. (b) (6) told Plant Owner Jim Huettl was he rejecting the trailer and he contacted me. Following a discussion with me, he informed Mr. Huettl and (b) (6) that the establishment they could proceed. He also informed them that he will be issuing a noncompliance record.	CLOSED
M791+P791+V791	Clemens Food Group, LLC	{E72B13BC-42D8-4002-B884-A5D4C478FB6F}	MXL3213063710N-1	06/10/2020	04C02	Livestock Humane Handling	313.2	HATS Category V- Suspect and Disabled On June 10, 2020 at approximately 1227 hours, while performing humane handling task in the barn, I observed the following noncompliance. While I was watching the pigs being driven from the unloading area to the barn holding pins, there was one pig that was lying on the floor breathing heavily with its tongue hanging out its mouth. This pig did not get up off the floor at any point. An establishment employee took this same pig by its legs and slowly began to move the pig while it was lying on the floor over about a foot towards the wall, at one point the truck driver came to assist the employee in moving the disabled pig as well. The pig did not appear to be at any additional discomfort. At this time I informed the barn supervisor. Who took immediately corrective action by stopping the animals from being driven so the pig would not be trampled on and had it euthanize with a handle held captive bolt stunning instrument, which rendered it insensible. This was a noncompliance of 9 CFR 313.2(d)(1), which states, disabled animals and other animals unable to move shall be separated from normal ambulatory animals. The establishment failed to comply with the above regulation.	CLOSED



EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M8078+P8078+V8078	Boone's Abattoir, Inc.	{4064A061-0BFC-4C1E-8347-65B497546054}	APM2910045406N-1	04/06/2020	04C02	Livestock Humane Handling	313.15(a)(1)	On 04/06/2020 at 0955 hours while monitoring the establishment's humane slaughtering of Beef animals I, (b) (6) observed the following non-compliance. A plant employee got on the knock-box with a captive bolt gun, that contained a Beef animal for USDA inspection, and went to stun the animal. As the employee was about to stun the Beef animal, the animal moved its head and struck the employee's hand/gun, causing the captive bolt gun to discharge a round into the Beef animal's head, striking the animal on the right side of the head, two inches above the eye. Another employee immediately grabbed the secondary captive bolt gun and rendered the animal unconscious on the next shot. I notified establishment (b) (6) of the non-compliance with 9CFR 313.15(a)(1) and tagged the knock-box with U.S. Reject tag B-45199570.	CLOSED
M8082+P8082	Kirby & Poe Slaughterhouse	{093273C9-D8B6-42B8-975E-919076ADC60A}	EXA4110060124N-1	06/24/2020	04C02	Livestock Humane Handling	313.16(a)(3)	HATS - Stunning EffectivenessOn June 24, at approximately 7:10 am, while performing the Humane Handling Task, I observed an incident in which a single shot with a .357/.38 rifle using .38 caliber shells delivered to a market swine did not produce immediate unconsciousness as required by 9 CFR 313.16 (a)(1). The hog remained standing, alert, and did not vocalize. A second gunshot was delivered immediately from the same rifle and effectively rendered the animal unconscious. At approximately 8:08 am, I observed a second incident in which a single shot delivered to the last hog of the lot from the same rifle did not produce immediate unconsciousness. The hog remained standing, alert, and did not vocalize. A second gunshot was delivered immediately and effectively rendered the animal unconscious. Owner/Operator Kelly Poe and J T Poe were aware of the humane handling noncompliance and the issuance of this Noncompliance Record. This establishment has a Robust Systematic Approach to Humane Handling program.	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M818+V818	HK Cooperative, Inc.	{250F0CCB-C916-44CC-83C4-71AE1DCB0947}	FYC1207044515N-1	04/15/2020	04C02	Livestock Humane Handling	313.2	<p>Yesterday, 4/14/2020, (b) (6) second shift barn personnel arrived for his shift at 1430. After his arrival, he noted there was an isolated non-ambulatory pig in a pen leftover from production earlier that day. He notified (b) (6) (b) (6) who instructed him to give the pig food which he did. Later on his shift, the pen was filled with pigs from the same producer arrived and were added to the pen with the non-ambulatory pig. This morning, 4/15/2020 around 0600, (b) (6) went out to the barn for Ante-mortem inspection. When pen C was looked at, the non-ambulatory pig was sitting in the middle of the pen. (b) (6) asked (b) (6) to move the pigs more, and after shaking the paddle, three pigs proceeded to trample over the non-ambulatory pig while it squealed. The non-ambulatory pig proceeded to drag itself around after only using its front legs. (b) (6) later requested that this pig be separated, and (b) (6) went into the pen to try and motivate the pig to stand. The pig started crawling out of the pen with its front legs, and at one point managed to stand up on four legs for literally 1 second before it returned to the ground, only able to use its front legs. (b) (6) notified (b) (6) that this was a violation, and an NR would be issued. Then (b) (6) discussed this observation with (b) (6). This is a violation of 313.2(d)(1), Handling of livestock, Disabled livestock and other animals unable to move. A pig unable to move shall be separated from normal ambulatory animals.</p>	CLOSED
M8547+V8547	Champlain Beef Company Inc.	{117D826D-C17E-4B18-A3CF-29441C4FE40F}	PRO5006043209N-1	04/08/2020	04C02	Livestock Humane Handling	313.1, 313.2	<p>The following noncompliance was observed on 4/8/2020 at 18:30 by (b) (6) (b) (6) while performing Offline Slaughter Inspection duties. While performing an antemortem review and observation task, (b) (6) observed bovine #3 of 35, as it was coming out of its trailer, proceed to slip on the ramp entering the holding area and drop into its front shanks. Upon this beef falling onto the ground, beef #4 was observed walking over bovine #3. Bovine #3 was able to right itself back to its feet and was ambulatory into the pens. Ramps, pens and other antemortem areas must be maintained in order to inhibit slips and falls from livestock during transit. Animals must be driven in a controlled manner at no more than a normal walking speed. Because this dairy cow was observed falling on the ramp, landing on its front shanks with another cow walking over it. The establishment fails to meet the requirements of 9 CFR 313.1 and 9 CFR 313.2. Because this was a non-egregious humane handling noncompliance, and occurred after slaughter had ended. No regulatory control action was taken. (b) (6) informed Plant Owner, Mr. Joshua Cuomo both verbally and in writing with this noncompliance. As always you do have the right to an appeal. If you wish to appeal this noncompliance, please feel free to do so in accordance with 9 CFR 306.5</p>	CLOSED

# Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 83

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M8547+V8547	Champlain Beef Company Inc.	{7856E219-CBE0-4DA0-A51F-B6A5BBD2DC88}	PRO5009043330N-1	04/30/2020	04C02	Livestock Humane Handling	313.2	<p>Hats Category: VII (Slips and falls)The following non-egregious humane handling noncompliance was observed on April 30, 2020 at approx. 1010. The incident was observed by (b) (6) while performing Consumer Safety Inspection. EIAO Worobe was observing movement of dairy cows from pen #1 to the holding chute prior to stunning in the antemortem area of the facility. Prior to the incident, it was determined that the beef within the chute were going to be reassigned to pen #2. The dairy cow closest to the stunning area, in the process of turning around, got its head wedged between the bars. The dairy cow, in the process of turning around ended up flipping itself over and landed on its back on the ground. After landing on the ground; the animal got itself back to its feet and proceeded to follow the rest of the cows back into pen 3. The cow did not seem to have any injuries. The establishment employees did not provide corrective actions as the dairy cow got itself back to its feet. (b) (6) did not take any regulatory control action due to the cow being able to get itself righted. The establishment failed to meet the requirements of 9 CFR 313.2(a).President and GM Mr. Joshua Cuomo verbally and in writing with this noncompliance. As always you have the right to an appeal. If you wish to appeal this noncompliance; please feel free to do so in accordance with 9 CFR 306.5.</p>	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M85O+P177 75+V85O	Swift Pork Company	{9F724C3D-2410 -4A67-8267-3B93 7CCBD951}	HEM521 8061827 N-1	06/26/20 20	04C02	Livestock Humane Handling	313.2	On 06/26/20 at 2020, while performing HATS Category VI – Electric Prod/Alternative Object Use at stunner #1, I observed a hog backwards in the irons with its rear end near the entrance of the gondola and the hog behind it was close to its face, i.e., the hogs were face to face. The employee attempted to get the backwards hog to move into the gondola by tapping on the hog with a plastic BB bat and on the framework of the irons. After these attempts, I observed him use the electric prod on the right side of the hog's face that was facing backwards. I immediately motioned for the employee to stop, motioned for (b) (6) (b) (6) who was already in the area and explained to her my observations. (b) (6) took an immediate corrective action by removing the employee and putting an experienced employee in his spot. I advised (b) (6) that a noncompliance record would be issued for improper use of an electric prod and that since there were not any signs of injury or distress to the hog I would not be stopping production. (b) (6) radioed for (b) (6) (b) (6) and I discussed the incident with him. Mr. Batres advised me the employee would be moved to another area of livestock to assist in driving hogs using only a plastic BB bat. (b) (6) then departed to look at the video corresponding to the timeframe of the incident. (b) (6) proffered the preventative measure as re-training the employee and to have an experienced team member work with him until it is determined that he is ready to work by himself.	CLOSED
M86R	Cargill Meat Solutions	{02E8C0BC-C84 0-4E15-A8D1-54 790460F085}	EHN3811 065916N -1	06/15/20 20	04C02	Livestock Humane Handling	313.2	HATS Category III: Water Availability On Monday June 15, 2020 while performing ante mortem inspection, I observed the following noncompliance. I arrived in the barn office at approximately 1850 hours and noted the three dock chutes each had cattle in them and no trucks backed into the dock area. At 1953, the plant employee presented the 39 cattle in chute #2 to me for ante mortem inspection. As I observed the animals at rest, I noted the chute did not have any water available in it for the animals. I then checked chute #1 and chute #3, observing the cattle in those two holding areas did not have access to water either. I completed my at-rest observation of the cattle in chute #2 and observed the animals in motion as they were moved to Pen #2. After the 39 cattle were closed in Pen #2, I observed the cattle tightly bunched around the waterer with multiple cattle drinking water and several additional cattle attempting to push their way to the waterer. I demonstrated this observation to (b) (6) and then performed at-rest and in-motion ante mortem on the 41 cattle in chute #1 and the 41 cattle in chute #3 as they were also moved to pens with water available. At approximately 2010, I verbally notified (b) (6) of the forthcoming NR for failing to provide access to water as required in 9 CFR 313.2(e). There have been no NRs issued for similar root cause within the last 90 days.	CLOSED

# Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 85

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M9065+P9065+V9065	Wampler's Farm Sausage Company, Inc.	{D287BF1D-68D5-4A97-BE3E-3D5EFF469F5A}	GHB1308050430N-1	05/30/2020	04C02	Livestock Humane Handling	313.1	While performing antemortem duties at about 0645 hours I noted the following non-compliance. Pen number 8 has a area about 4' x 6" that has been cut out of the steel panel on the door due to rust and corrosion. The cut out area has jagged edges in which the hogs can get injured. USDA Rejected Tag B45235954 was applied. The carousel also had 4 areas in which rusted and corrosive spots were cut out. The hogs were backed out and these areas were taken care of immediately. All areas were ground down smooth to the touch, eliminating all jagged and sharp edges. Lead (b) (6) was notified.	CLOSED
M9085+V9085	Snapps Ferry Packing Company	{EE8F5FFB-1811-4171-A7B0-434E8B3C1A4C}	QSF1912043523N-1	04/23/2020	04C02	Livestock Humane Handling	313.2	HAT Category III - Water and Feed Availability. At approximately 8:45 AM while performing ante-mortem inspection, at Snapps Ferry Packing in Afton, TN, I, (b) (6) observed that the pigs in Pen #3 did not have access to water. The water trough in the pen was observed to be empty. I immediately notified (b) (6), Owner/Kill Floor Supervisor, of the noncompliance. This is a direct violation of 9 CFR 313.2(e) which states, "Animals shall have access to water in all holding pens and, if held longer than 24 hours, access to feed." Immediate corrective actions were taken by the establishment, providing water.	CLOSED
M9252+P9252+V9252	Bright Oak Meats, Inc.	{C3309DA4-B9C6-4B54-AC67-FDA0CEB9B9F5}	GHD1912054106N-1	05/06/2020	04C02	Livestock Humane Handling	313.2	At 0745, I (b) (6) that the4 cattle in the pen #7 have no access to water. The water container was completely empty. I immediately informed (b) (6) of the failure to meet HAT Category3-CFR regulation 313.2(e) Handling of livestock. Water was provided for the animals at about 0750. I took regulatory control action; the pen was tagged with a US Rejected/Retained tag 678983. The requirements of 9 CFR 313.2 (e) read: Animals shall always have always access to water in all holding pens and if held longer than 24 hours access to feed. There shall be sufficient room in the holding pens for animals held overnight to lie down. After pen #7 was brought back to compliance, I remove the tag at 0810. This documentation serves as written notice of noncompliance that plant failed to meet Animal Humane Handling regulations 313.2(e) on this day. No similar noncompliance in the last 90 days. You are hereby advised of your right to appeal this decision as delineated by 306.5 and/or 381.35 of 9 CFR.	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M9264+P9264+V9264	Malco's Buxton Meat Co	{2EFFC639-2663-4C88-8F57-E2B C73B67C8A}	QSH4810 044829N -1	04/28/2020	04C02	Livestock Humane Handling	313.15(a)(1)	On 04/28/2020 at approximately 0802 hours (b) (6) was verifying Stunning Effectiveness and observed a noncompliance. In the slaughter area, (b) (6) was getting ready to stun the five lambs in the stun box. While (b) (6) was physically holding and restraining a lamb with his left hand, (b) (6) aimed and fired the hand-held captive bolt device with his right hand. The lamb moved as the device discharged and the lamb remained standing in the stun box with its eyes tracking the surroundings and attempted to escape (b) (6) restraint. (b) (6) observed splattered blood surrounding the stun hole on the lamb's head. An immediate second stun application from the reloaded hand-held captive bolt device effectively rendered the animal unconscious. (b) (6) verbally notified Moo that a noncompliance record will be issued. This noncompliance is being linked to NR #QSH5314020521N date 02/19/2020 for the same root cause.	CLOSED
M9270+P9270+V9270	Mt. Angel Meat Co.	{677CDD86-6B2 6-47B3-A1B7-2C 0C171A669D}	QYB2113 063716N -1	06/15/2020	04C02	Livestock Humane Handling	313.15(b)(1) (iii)	While verifying HATS Category IV-- Ante-mortem Inspection on 06/15/2020 at 0910 hours at Est. 9270, I (b) (6) observed establishment employees drive a beef calf into the stun box. The animal immediately displayed signs of stress and excitement, including vocalization and it attempted to jump and climb over the walls of the stun box, turning completely around in the stun box. Establishment employees successfully stunned the beef calf at 1050 hours on the first stun attempt. At this time, I observed multiple lacerations and abrasions on the calf's head and blood on the walls of the stun box (b) (6), notified Establishment Owner Mr. Eric Fietz that a noncompliance record would be issued. There have been no noncompliance records for the same root cause issued within the past 90 days.	CLOSED
M9369+P9369	Alex Froehlich Packing Company	{4DF4A190-1593-47DE-8B16-40B CCD2D0A79}	SOJ1208 064123N -1	06/23/2020	04C02	Livestock Humane Handling	313.1	Category IV Handling During Ante-mortem On 6/23/20 while performing the verification of HATS category IV Handling During Ante-mortem in the barn area of the establishment the following noncompliance was observed. In pen number two, metal on the wall was bent and the corner was protruding out towards the animal holding area. (b) (6) was immediately notified verbally. This pen was rejected using US Reject tag no. B-45023567 to prevent injury to animals. This is noncompliance with 9 CFR 313.1. A search of PHIS did not show any recent similar noncompliance.	CLOSED

# Table: Noncompliance Reports in Response to FOIA2020-435

17:19 Wednesday, July 14, 2021 87

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M9548+P9548	Wayne Nell & Sons Meats Inc.	{BC8380B2-D891-4CD2-B934-ACCF79418B70}	ODJ5707050018N-1	05/18/2020	04C02	Livestock Humane Handling	313.2	HATS Category III Water and Feed Availability On 05/18/2020 at approximately 0840, while observing the animal holding pens (b) (6) and (b) (6) (b) (6) observed no water access for approximately 60 hogs in any of the pens. Both water containers were completely empty and dry. (b) (6) (b) (6) was informed of the noncompliance. No regulatory control action was taken because (b) (5) sent an employee to fill the water containers immediately. This is a compliance with 9 CFR 313.2(e).	CLOSED
M9548+P9548	Wayne Nell & Sons Meats Inc.	{BDB1E647-221E-4A99-A333-ED EC0D2D4115}	ODJ2811063909N-1	06/09/2020	04C02	Livestock Humane Handling	313.16(a)(1)	HATS Category VIII Stunning Effectiveness On June 9, 2020, (b) (6) and (b) (6) observed a mis-stun of a bull in the stun box at Wayne Nell & Sons Meats M9548, while observing stunning effectiveness, at approximately 11:15AM. The bull was standing freely inside the stun box. An Establishment employee attempted to use a 9mm pistol for the first stunning attempt. As the stun box door was raised (b) (6) (b) (6) witnessed the bull's head still up accompanied with vocalization and rhythmic breathing indicating that the first stunning attempt was unsuccessful at rendering the animal insensible. Another Establishment employee immediately retrieved the backup captive bolt and stunned the bull in the center of the head rendering it unconscious. No regulatory control action was taken, as the establishment employee took immediate corrective actions. Upon postmortem, (b) (6) observed one hole in the back of the skull and one hole in the front of the skull. Shane Nell, Establishment owner, was informed of this non-compliance with 9 CFR 313.16(a)(1).	CLOSED
M966+P19049+V966	Univ of Arizona Food Products & Safety Lab	{22E293A6-7B43-4B7A-AC73-DD5CD4E4688E}	CTN1014055706N-1	05/06/2020	04C02	Livestock Humane Handling	313.2	On 05/06/2020, at approximately 0902 hours, I (b) (6) (b) (6) observed 3 beef animals located in the alleyway with no access to water. The establishment took company break and returned at approximately 0925 hours. The animals did not have water access for approximately 23 minutes. I notified (b) (6) of the noncompliance at approximately 0927 hours. The findings of these observations were regulatory noncompliance with Title 9 CFR 313.2(e). This Noncompliance Record (NR) is associated with NR# CTN3514040402N/1 (dated 04/02/2020) for a similar root cause.	CLOSED

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M966+P1904 9+V966	Univ of Arizona Food Products & Safety Lab	{43D85A72-D0D 7-435B-8197-AB AD2047630D}	CTN3514 040402N -1	04/02/20 20	04C02	Livestock Humane Handling	313.1, 313.2	<p>On 04/02/2020, while performing a DVMS visit at Est. 966M, the following noncompliance were observed:1. At approximately 0700 hours, (b) (6), observed the door preventing the cattle from exiting the chute towards the alleyway. The door had a sharp protruding edge in a lower corner (b) (6). (b) (6) was notified of the noncompliance. The findings of these observations were regulatory noncompliance with Title 9 CFR 313.1(a).2. At approximately 0716 hours, (b) (6) observed the south pen in the antemortem area. The south pen contained approximately 5 sheep. There was no water access for the animals. (b) (6) applied U.S. Rejected #B37528675 to the affected pen. (b) (6) notified (b) (6), of the noncompliance. Later, at approximately 0900 hours (b) (6) observed 4 beef animals to the alleyway with no access to water. The establishment took company break and returned at approximately 0930 hours. The animals did not have water access for approximately 30 minutes. (b) (6) notified Dr. Samuel Garcia, Plant Manager, of the noncompliance. The findings of these observations were regulatory noncompliance with Title 9 CFR 313.2(e).3. At approximately 0807 hours, (b) (6), observed the flooring in the pen leading up the chute into the knock box had fecal material and the footing was poor. One beef animal was excited and fractious. The animal slipped and fell due to the poor footing and fecal material for about 10-12 seconds. The beef fell on its front limbs twice while trying repeatedly to regain its footing (b) (6) notified (b) (6) of the noncompliance at approximately 0809 hours. I applied U.S. Rejected #B37528674 to the cattle knock box at approximately 0809 hours. The findings of these observations were regulatory noncompliance with Title 9 CFR 313.1(b).4. At approximately 0935 hours, (b) (6) observed excessive prod usage on one beef while observing another beef cow was already in the knock box. The plant employee was still excessively using the electric prod while moving cattle in the semi-circle chute when an animal was already occupying the knock box and the animals in the chute could not be driven elsewhere. (b) (6) notified (b) (6) of the noncompliance. The findings of these observations were regulatory noncompliance with Title 9 CFR 313.2(b).</p>	CLOSED



EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M969G	Swift Beef Company	{49430687-0E8A-42E1-AEE3-37FFB6E4E184}	NDH0819061830N-1	06/29/2020	04C02	Livestock Humane Handling	313.2	<p>HATS Category III – Water Availability On June 29th, 2020, at approximately 2050 hours, I observed that the water tank between pen 1A and 2A and the water tank between pen 3A and 4A were empty. There were approximately 40 head of cattle in each of the pens and several cattle were standing around the tanks looking for water. This failed to meet the requirement of 9 CFR 313.2(e) which requires animals in holding pens to have access to water. I asked the employees moving cattle for ante mortem inspection to call a supervisor. At approximately 2100 hours the water tank between pens 1A and 2A and the water tank between 3A and 4A started to fill. (b) (6) arrived at the yards at approximately 2105. I informed (b) (6) of my observation and that a non-compliance report would be issued. (b) (6) had the pens employees move the cattle out of pens 1A, 2A, 3A, and 4A to pens that had full water tanks. Water flow to the water tanks in the pens was shut off because the water level in the main water tank was low. To prevent this from reoccurring, the establishment will install an electronic valve that will provide freshwater flow into the system based on the water level in the main tank. There have been no other non-compliances for the same root cause within the last 90 days.</p>	CLOSED

Table: Noncompliance Reports in Response to FOIA2020-435

EstNbr	EstName	NonComp_ID	NR #	Date	Task	TaskName	Regs	Description	Status
M9760+P9760+V9760	Herring Brothers Meats Inc.	{48062EE7-15F2-4119-A630-FBEFD15EC09F}	DIK4808062309N-1	06/09/2020	04C02	Livestock Humane Handling	313.16(a)(1)	HATS Category VIII - Stunning Effectiveness (9 CFR 313.16) The following noncompliance was observed at approximately 9:00am, on Tuesday, June 9, 2020. While performing a routine Livestock Humane Handling verification, I stood behind a barrier as an establishment employee prepared to stun a mature male goat. Per the firearm discharge warning system, the employee shouted, "Fire in the Hole" and fired a shot with a .22 caliber pistol. However, the employee recognized that the animal had not been successfully rendered unconscious and exclaimed a second shot was required (b) (6) and I observed that the animal was still standing. The employee promptly stunned the animal a second time with a 410-caliber firearm. At this time the employee called the "All Clear" command. I visually verified the animal was successfully rendered unconscious after this second stun attempt. The animal did not regain consciousness throughout shackling, sticking and bleeding. I verbally issued a noncompliance of 9 CFR 313.16 (a)(1) to establishment manager Tom Gilbert pending my written report. A review of NRs in PHIS showed that no noncompliance of similar cause had been documented within the past 90 days	CLOSED
M9979+P9979+V9979	Smith Valley Meats	{23FE5AFE-DAA F-45FC-9A36-864357CF26DB}	AAH5007062801N-1	06/01/2020	04C02	Livestock Humane Handling	313.16(a)(1), 313.16(b)(1) (iii)	On 06/01/2020 at approximately 0830 hours while (b) (6), was performing a Humane Handling task category number VIII (stunning effectiveness) , the following noncompliance was observed. After stunning and slaughtering one beef cow previously this morning without incident, designated employee (b) (6) performed an ineffective stun on a bull using a 22 magnum center fire rifle. The ineffective stun was applied to the incorrect location on the head, slightly above the right eye socket due to sudden animal movement. The animal remained standing but did not show signs of distress or excitement. Immediate corrective action was taken by the designated employee, by immediately applying a proper stun with the same rifle, utilizing ammunition in a clip resulting in the animal being rendered unconscious. The establishment does not have a robust systematic approach for Humane Handling. Plant Manager Jeff smith was notified verbally and by this written NR.	CLOSED